

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,

Government,

vs.

ROD BLAGOJEVICH,

Defendant.

No. 08 CR 888

Chicago, Illinois

April 27, 2011

9:30 o'clock a.m.

VOLUME 4
TRANSCRIPT OF PROCEEDINGS
BEFORE THE HONORABLE JAMES B. ZAGEL
AND A JURY

For the Government:

THE HONORABLE PATRICK J. FITZGERALD,
UNITED STATES ATTORNEY

BY: Reid J. Schar

Carrie E. Hamilton

Christopher Niewoehner

Assistant United States Attorneys

219 South Dearborn Street;

Suite 500

Chicago, Illinois 60604

Court Reporter:

Blanca I. Lara, CSR, RPR

219 South Dearborn Street

Room 2504

Chicago, Illinois 60604

(312) 435-5895

1 APPEARANCES (continued:)

2

3 For Defendant Rod Blagojevich:

4 KAPLAN & SOROSKY
5 BY: Sheldon M. Sorosky
6 158 West Erie
Chicago, Illinois 60610
(312) 640-1776

7

8 LAW OFFICE OF Elliott Riebman
BY: Elliott Riebman
9 158 East Erie
Chicago, Illinois 60610
(847) 814-2900

10

11

12 OFFICES OF AARON B. GOLDSTEIN
BY: Aaron Benjamin Goldstein
13 6133 South Ellis
Chicago, Illinois 60637
(773) 752-6950

14

15 OFFICES OF LAUREN FAUST KAESEBERG
BY: Lauren Faust Kaeseberg
16 2140 N. Lincoln Park West
Suite 307
17 Chicago, Illinois 60614
(773) 517-0622

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INDEX OF EXAMINATION

WITNESS	PAGE
Voir Dire.....	637

EXHIBITS
.....

Voir Dire

637

1 VOIR DIRE

2

3

4 (The following proceedings were had in open court:)

:11AM

5 THE CLERK: Will resume with the case, United
6 States versus Blagojevich.

7 THE COURT: Counsel, approach.

8 (Brief pause).

:11AM

9 THE COURT: You don't actually all have to
10 come up. You can, if you want to.

11 (Brief pause).

:11AM

12 THE COURT: The first thing we're going to do
13 are call-backs of some jurors. The list I have
14 includes three who are going to do chambers for
15 privacy reasons and the rest we're going to do out
16 here. These are going to be fairly short.

17 107, there's an issue about flights. 115,
18 we're going to do in the jury room. 117, is about
19 the job that was started.

:12AM

20 Is 118 here? Are we missing 118?

21 THE CLERK: Yes, sir, we have all of them.

:12AM

22 THE COURT: Okay, 118 has to do with some
23 financials. And also, I believe 118, when she came
24 here this morning indicated she eliminated, she
25 omitted something on her form. And, actually,

1 Donald does not think that she omitted it, he thinks
2 it's actually not called for on the form but
3 something she thought of that we should know.

4 121, which I think we will do in chambers
5 because there's a CCH issue with respect to that
6 one.

7 116, this is the impossible-to-replace issue.
8 130, deals with an issue that we've discussed
9 at sidebar, that will be in the jury room.

10 And 137, we'll also do in the jury room.

11 None of these I think are extended, just
12 simple questions here and there.

13 When we're done with that, we will proceed to
14 those who were here yesterday and weren't examined,
15 and then in the afternoon I believe we have another
16 set of new jurors.

17 My current count is, we have, I believe, 18
18 or 19 jurors available in the worst case, and we may
19 I have 20 or 22, depending on various rulings. This
20 indicates to me we are looking to openings next week
21 and not this week. Just so you know.

22 We need to complete jury selection, assuming
23 there are no overlaps on peremptory challenges, we
24 need 40 we're about halfway there.

25 MS. HAMILTON: We'll just double-check. Our

1 numbers were different. We had -- not including the
2 numbers you just listed, 28 rather than 18.

3 THE COURT: I think maybe my numbers are
4 right. But in any event, in any event, it's still,
5 at the pace this is going, I'm still thinking next
6 week is when we begin. But we'll go over this,
7 we'll go everybody's list, and since we're dealing
8 with numbers, it'll go by fairly quickly.

9 This is a relatively long jury selection
10 process for federal court, but it was a highly
11 publicized case. The second time around, I'm not
12 surprised. And I come from a system where once
13 there was a case that went from the beginning of
14 jury selection to a verdict, went 8 weeks, 6 of
15 those weeks were devoted to jury selection, which
16 sort of happens when you got, I think, 160
17 peremptory challenges a side. Unique case.

18 with that, Mr. Walker.

19 (Brief pause).

20 (Prospective juror entered the courtroom, and
21 the following proceedings were had herein:)

22 THE COURT: Hi. Have a seat.

23 This is just one or two questions.

24 PROSPECTIVE JUROR: Okay.

25 THE COURT: This is not going to be as long

1 as last time. It's kind of a rerun.

2 You have a plane flight?

3 PROSPECTIVE JUROR: Yes, I do.

4 THE COURT: And where was that to?

5 PROSPECTIVE JUROR: Arizona.

6 THE COURT: And that was for a week, maybe?

7 PROSPECTIVE JUROR: Yes.

8 THE COURT: And what was the purpose of that
9 one?

10 PROSPECTIVE JUROR: well, I have to go and
11 finalize my son's funeral stuff because he passed in
12 December, and I had to wait for the insurance
13 company to clear up the matter to release the funds.
14 So I have to go down there now and finalize
15 everything. My last daughter is down there, and she
16 hasn't seen me since my son passed.

17 THE COURT: And when did he pass away?

18 PROSPECTIVE JUROR: December 30th, right
19 after Christmas.

20 THE COURT: And the flight is scheduled for
21 May 3rd?

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: And you're going for a week?

24 PROSPECTIVE JUROR: Yes.

25 THE COURT: Okay. I just wanted to verify

1 that, and its reason, and, obviously, we're going to
2 take that into consideration.

3 Thanks.

4 PROSPECTIVE JUROR: Thank you.

5 (Brief pause).

6 (Prospective juror entered the courtroom, and
7 the following proceedings were had herein:)

8 THE COURT: This won't be as long as the
9 time. It'll be a lot shorter.

10 You started the job?

11 PROSPECTIVE JUROR: Yes.

12 THE COURT: And how far along are you on the
13 job?

14 PROSPECTIVE JUROR: A month.

15 THE COURT: How big is the company?

16 PROSPECTIVE JUROR: Like 25 people.

17 THE COURT: Okay. And how many people do
18 what you're supposed to do?

19 PROSPECTIVE JUROR: Me and a part-time girl.

20 THE COURT: And when was the last job you had
21 before this one?

22 PROSPECTIVE JUROR: I left my previous job to
23 start this one. So it was a month ago. I mean, I
24 left and started a new job.

25 THE COURT: why did you leave the previously

:19AM

:19AM

:20AM

:20AM

:20AM

1 job?

2 PROSPECTIVE JUROR: Closer commute.

3 THE COURT: What?

4 PROSPECTIVE JUROR: It was too far away.

:20AM

5 THE COURT: And this one is much closer?

6 PROSPECTIVE JUROR: Yeah.

7 THE COURT: Have you talked to your current
8 employer to ask about what happens if you get stuck
9 here?

:20AM

10 PROSPECTIVE JUROR: I asked -- well, he
11 handed me the handbook and I don't get paid. I
12 didn't know that. My previous place I got paid.

13 THE COURT: Okay. Has your current employer
14 said anything about what happens to the job if you
15 disappeared, leaving aside the pay part?

:21AM

16 PROSPECTIVE JUROR: No.

17 THE COURT: It would be helpful if you asked
18 them and you wrote us a letter, or a phone call is
19 enough, actually.

:21AM

20 PROSPECTIVE JUROR: What's that?

21 THE COURT: I'd like you to ask your employer
22 if the job would still be there if you wind up
23 getting stuck here, and I'd like you to tell us his
24 answer, and you can do that by telephone; okay?

:21AM

25 PROSPECTIVE JUROR: Yes.

1 THE COURT: Thanks.

2

3 (Prospective juror exited the courtroom, and the
4 following proceedings were had herein:)

:21AM

5 (Brief pause).

6 (Prospective juror entered the courtroom, and
7 the following proceedings were had herein:)

8 THE COURT: You are 118?

9 PROSPECTIVE JUROR: I am.

:22AM

10 THE COURT: Mr. walker told me, and I'm not
11 sure I'm confusing you with someone else, but you
12 had something you thought you should've put down on
13 the questionnaire.

14 PROSPECTIVE JUROR: That's right.

:22AM

15 THE COURT: Okay. And what was that?

16 PROSPECTIVE JUROR: My daughter's
17 father-in-law --

18 THE COURT: why don't you get closer to --

:22AM

19 PROSPECTIVE JUROR: My daughter's
20 father-in-law had gone to prison and worked for the
21 state.

22 THE COURT: Do you know what he did for the
23 state?

24 PROSPECTIVE JUROR: No.

:22AM

25 THE COURT: Do you know when he went to

1 prison?

2 PROSPECTIVE JUROR: I'm not positive, no.

3 THE COURT: Was it a long time ago?

4 PROSPECTIVE JUROR: It was a while ago. It
5 was before they married.

6 THE COURT: Do you know if that person is
7 still alive?

8 PROSPECTIVE JUROR: Yes.

9 THE COURT: Is this a person you personally
10 know?

11 PROSPECTIVE JUROR: Yes.

12 THE COURT: Is there anything about your
13 relationship with that person and what happened to
14 him that would affect your ability to be fair here?

15 PROSPECTIVE JUROR: I -- I don't -- I don't
16 know what happened, so I can't say.

17 THE COURT: Okay. You also raised a question
18 about financial hardship to serve.

19 PROSPECTIVE JUROR: Correct.

20 THE COURT: Would you go through that again
21 with me.

22 PROSPECTIVE JUROR: I am a sub, a substitute
23 teacher.

24 THE COURT: Bring the mike closer.

25 The funny thing is, this is the season when

1 lots of people have their voices changed by the
2 weather.

3 PROSPECTIVE JUROR: Okay. I am a substitute
4 teacher and I only get paid for the days I work. So
5 if I'm not working, I'm not getting paid.

6 THE COURT: I understand that part, but what
7 effect does that have on you?

8 PROSPECTIVE JUROR: well, I help pay the
9 bills, so

10 THE COURT: what I think you're going to have
11 to do, and you can do this by fax or you can do it
12 by e-mail, you don't have to come back here, is you
13 have to give me basically a financial statement
14 about what your income is and what your monthly
15 expenses are.

16 PROSPECTIVE JUROR: All right.

17 THE COURT: And the important thing for me is
18 the monthly expenses.

19 PROSPECTIVE JUROR: All right.

20 THE COURT: The kinds of bills that come in
21 every month, okay?

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: And if you want to know how to do
24 that, what numbers to call, you can talk to somebody
25 and we'll tell you how to do it, okay?

1 PROSPECTIVE JUROR: Yes.

2 THE COURT: Thanks.

3 (Prospective juror exited the courtroom, and the
4 following proceedings were had herein:)

5 (Brief pause).

6 (Prospective juror entered the courtroom, and
7 the following proceedings were had herein:)

8 THE COURT: You're 126?

9 PROSPECTIVE JUROR: I am.

10 THE COURT: What I'd like to talk to you
11 about is a little more on the issue of the projects
12 that you're working on at the office. In all
13 honesty, I don't see a terrible inherent financial
14 hardship here, but we do also consider the impact on
15 employers and items of that sort, so you want to
16 tell me a little more about that.

17 PROSPECTIVE JUROR: So we engaged this
18 company in January, we completed a 3 and a half
19 month first phase of the project, and we're starting
20 7 pilots over -- starting in May, 3 of them, and
21 then in August will be the other 3 through December
22 of this year. I'll personally be managing 3, 3
23 teams of about 3 to 4 people per team. I'm the key
24 contact with the client. They've already spent
25 \$800,000 with us over the first 3 months. This next

1 phase of work is about 3 and a half million dollars
2 to our firm, and we're only about 55 million-dollar
3 firm, so it's very significant.

4 THE COURT: Okay.

:27AM

5 PROSPECTIVE JUROR: And we probably have to
6 delay it to start until I would come back from the
7 trial, in all honesty.

8 THE COURT: Now, what would you actually be
9 doing when the second phase starts?

:28AM

10 PROSPECTIVE JUROR: I would be working with
11 our client teams. There's going to be 4 of them.

12 THE COURT: One other thing, where are they
13 located?

:28AM

14 PROSPECTIVE JUROR: Their headquarters in
15 Lake Forest, but the teams we'd be working with are
16 in Knoxville, Edgewater, Florida, Fond du Lac,
17 Wisconsin, up in Minnesota as well. So they're
18 disbursed throughout the country.

19 THE COURT: Now, when you did this job --

:28AM

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: -- would you personally be going
22 to each of these sites?

:28AM

23 PROSPECTIVE JUROR: I would. And it's a lot
24 of client interaction, a lot of work sessions. Part
25 of what we're trying to do is build their marketing

1 capabilities within the organization. That's why
2 we're doing pilots, it's kind of learn by doing, and
3 I need to be there to kind of help guide that
4 process. It's not as though we stay here in
5 Chicago, work it, and then hand them, you know, a
6 finished material. It's really engaging their teams
7 and helping them along over the next 3 to 4 months,
8 which is why -- there's a sense of urgency, as well,
9 within or client organization. And if we were have
10 to go back to them and propose to delay it, that
11 would cause some serious consequences and we may not
12 get the work moving forward if that were the case.

13 THE COURT: Is this -- there's, basically,
14 this one that is urgent.

15 PROSPECTIVE JUROR: well, that's one of my
16 clients, I'm also working with another client that's
17 been -- that I've had for about 2 and a half years
18 that myself and another part lead. That's not as
19 urgent, I personally think I could give coverage in
20 that regard, but the one I'm referring to now is
21 significant. And for me personally, you know, bonus
22 is part of our -- well, a large part of our
23 compensation, and if I'm not able to fulfill this,
24 just from a financial perspective, personally, it's
25 pretty significant as well.

1 THE COURT: Thanks.

2 PROSPECTIVE JUROR: Sure.

3 (Prospective juror exited the courtroom, and the
4 following proceedings were had herein:)

5 (Brief pause).

6 THE COURT: In about a couple of minutes
7 we're clearing the jury room.

8 (Brief pause).

9 (The following proceedings were had in the Jury
10 room with Court and Counsel:)

11 THE COURT: I never thought this would be the
12 occupation of the jurors. The record should
13 indicate I'm looking at a very large jigsaw puzzle.
14 I remember when jurors used to play cards, I
15 remember when jurors used to play bridge, but this
16 is a joint project.

17 There's one question I did not ask you about,
18 I neglected to ask this question, and you can tell
19 from the nature of the question the reason why we're
20 here.

21 PROSPECTIVE JUROR: Sure.

22 THE COURT: The question I have for you,
23 question 28, have you ever been arrested or
24 convicted of a crime, you said yes, and the
25 explanation is "trespass:dismissed/supervision," you

1 want to tell me about that?

2 PROSPECTIVE JUROR: There was a circumstance
3 in which, basically, I was caught in the wrong place
4 at the wrong time with some friends. The allegation
5 -- or part of the arrest was an allegation of
6 solicitation, but at the end of the day, after the
7 facts came out, the vast aspect of it was dismissed.
8 And again, Your Honor, I think this was 20 years
9 ago, but I believe the charge then was criminal
10 trespass for which I received supervision and
11 completed in public service. I don't believe there
12 was a fine involved.

13 THE COURT: Okay. What the record actually
14 shows is "convicted probation" and then it says
15 "probation work program," does that sound right to
16 you?

17 PROSPECTIVE JUROR: Yeah, I called it as
18 public service, but basically I worked in a --

19 THE COURT: Community service.

20 PROSPECTIVE JUROR: Community service, yes.

21 THE COURT: And it's hard to tell what charge
22 it was. There were two in the end, and it's hard to
23 read these things, but it appears to me that you
24 were charged originally with both disorderly conduct
25 and it says prosecution but I think that that -- I

1 think your description of it of as soliciting were
2 under the California law --

3 PROSPECTIVE JUROR: Uh-huh.

4 THE COURT: -- is probably more correct one.
5 So what's the background here?

6 PROSPECTIVE JUROR: The background was that I
7 was -- I was at a party with some friends at a
8 particular location, and I knew the friends but
9 didn't know all the people there.

10 THE COURT: Right.

11 PROSPECTIVE JUROR: And so the view was that
12 somehow, some way, one of the -- the group of
13 friends I was with, there was somewhat unsavory
14 people, I'm sure I propositioned a lady there and
15 the allegation -- well, we didn't talk about money
16 or anything like that, but the allegation was, you
17 know, she was an undercover police officer and the
18 allegation was --

19 THE COURT: Do you remember where you were?

20 PROSPECTIVE JUROR: It was -- it was in, I
21 want to say, West L.A., I don't remember exactly the
22 location. It was in an apartment in West L.A.

23 THE COURT: So you didn't do your famous
24 Hollywood street --

25 PROSPECTIVE JUROR: I don't know how famous

1 it is --

2 THE COURT: It's pretty famous.

3 PROSPECTIVE JUROR: No. No. It was in an
4 apartment complex.

5 THE COURT: Right. Okay. Did you have to
6 deal with the bar on this one at all?

7 PROSPECTIVE JUROR: No. No. And, in fact,
8 since that time, I've had a number of positions in
9 which --

10 THE COURT: Yeah, I noticed.

11 PROSPECTIVE JUROR: Okay.

12 THE COURT: All right. Thanks.

13 You can step out:

14 PROSPECTIVE JUROR: Okay. Should I bring my
15 things or leave them here.

16 THE COURT: No, take your things.

17 (Brief pause).

18 (Prospective juror exited the jury room, and the
19 following proceedings were had herein:)

20 THE CLERK: The next, Your Honor, would be
21 137.

22 THE COURT: Yeah, but give me a moment.

23 (Brief pause).

24 THE COURT: Expression or views by counsel?

25 Anybody have any expression?

1 MR. SOROSKY: Based on the advise you give
2 us, you say you are a state court prosecutor who
3 doesn't like arrogant federal prosecutors who got
4 into a jam with an undercover officer which perhaps
5 could understand --

6 THE COURT: The question was was he
7 insufficiently candid.

8 MR. GOLDSTEIN: Your Honor, based on the last
9 two strikes that went on with a similar situation, I
10 don't recall the number, but it was male who worked
11 at bars --

12 THE COURT: The issue in this case is, I
13 didn't ask him that question, I'm pretty sure I
14 didn't specifically ask that question, the problem
15 with the other one was I ask the question and they
16 don't tell the whole story.

17 MR. GOLDSTEIN: Well, with this one he
18 indicated that there was a trespass, he wasn't being
19 honest with what it was. And the questionnaire is a
20 confidential questionnaire.

21 THE COURT: Let me hear from the other side
22 on this.

23 MR. SCHAR: Judge, I think he answered
24 accurately. So I think at this point our position
25 hasn't changed.

1 THE COURT: And your position was?

2 MR. SCHAR: He shouldn't go for cause.

3 THE COURT: And you think he should go for
4 cause?

5 MR. GOLDSTEIN: Yes, Your Honor.

6 THE COURT: Actually, I'm surprised you're
7 doing this and he's not, but that happens to me all
8 the time.

9 MS. KAESEBERG: For what it's worth, my
10 recollection is, in open court, you did ask the
11 result of conviction. I think he disclosed a
12 conviction which is why the criminal history was
13 such a red flag.

14 THE COURT: Yeah, we'll check the record. I
15 think he was quite candid today, not only was he
16 quite candid, I didn't have to push him to talk
17 about it, he just said it in the first place.

18 MS. HAMILTON: Judge, you did ask him in open
19 court, but I don't have it in my notes that you
20 asked him about a specific conviction or any other
21 arrest.

22 THE COURT: We'll check that.

23 MR. SCHAR: If you did, we're not going to
24 object.

25 THE COURT: Yeah, obviously. Because the

1 issue here is not what happened, the issue is is was
2 he truthful, and so I'll have to look at the
3 question.

4 MS. KAESEBERG: And I think as someone who
5 was a former prosecutor, he said he's done jury
6 trials, he would likely know that if he had a
7 private issue that he didn't want to disclose in
8 front of the media --

9 THE COURT: It depends what my question was.
10 And the reason you're dealing with the former
11 prosecutor, something that they have been beating a
12 client over the head with, about what he should
13 know, but the truth of the matter is is that was a
14 different issue that had to do with a very
15 restrained and informal defense in advise of
16 counsel. I don't think it's exactly the same. What
17 I really need is the context of the question I asked
18 him and what his answer was. And my view will be
19 that, if I felt he was withholding, it was the kind
20 of thing he should've said, he's gone. But he is
21 not gone on what he said today, what he said today I
22 thought was candid and truthful. And I basically
23 have to look at the question I asked him and see
24 whether, in context, there's a basis.

25 MR. GOLDSTEIN: One thing, Your Honor, that's

1 was one of the concerns we had with the background,
2 is that he indicated, while it looked on your sheet
3 there were two, he said there was one arrest, which
4 is a red flag for our bartender or chef, or whatever
5 he was, who indicated he had an assault but didn't
6 mention the gambling, or something to that effect,
7 that very well could have been the exact same arrest
8 that he was doing similarly to this individual.
9 This is a red flag to how --

10 MR. SCHAR: There was a time gap between
11 that.

12 MS. HAMILTON: There was a two-year time gap
13 with the chef.

14 MR. SOROSKY: I also would add, Your Honor, I
15 believe you brought up the topic of an arrest with
16 him and he said --

17 THE COURT: Don't do this, because I'm going
18 to know exactly what it is.

19 MR. SOROSKY: But I do know, he said trespass
20 supervision. Now, trespass, obviously --

21 MR. SCHAR: Shelly, it's going to stay.

22 MR. GOLDSTEIN: He also said supervision and
23 not a conviction.

24 MR. SOROSKY: Supervision is peculiar in
25 Illinois, there isn't any other state that has

1 supervision. Supervision applies not a conviction.
2 Apparently, he was convicted in California --

3 THE COURT: You know, I have to judge it in
4 the context. It depends on what I asked him and
5 whether he had answered within the ambit of the
6 question, and the reason it didn't come out is my
7 question is not keen enough, in which case he's
8 fine. My fault that he is fine, and the other
9 depends on maybe he should've said it and that's a
10 judgment I have to make, should have said it. Okay.
11 So he is somebody to check on.

12 (Brief pause).

13 THE COURT: 115?

14 MR. GOLDSTEIN: You mentioned 121 in court.

15 THE COURT: Did you find that one?

16 THE CLERK: I did not locate a sheet.

17 THE COURT: There was a sheet on 121, which
18 was difficult to read and I didn't understand it.
19 And I thought it was, what almost all of these
20 things are --

21 Do you have the questionnaire?

22 THE CLERK: I do not. You may have it.

23 THE COURT: I do have it?

24 THE CLERK: I think so.

25 (Brief pause).

1 THE CLERK: If not, it's on the bench.

2 THE COURT: But it doesn't matter. It
3 doesn't matter. It's not the way this last guy's
4 was, it's not intermingled among the pages. My
5 memory was that they weren't sure it was him. It's
6 not that common a name, but we have to track it
7 down. And if he did it once, they can get it
8 quickly for us or we can find it in chambers because
9 we've got tons of these things. The reason we got
10 tons of these things is, they sent us a sheet of
11 paper for everybody in which nobody was found. So
12 we got a lot of unnecessary paper. But that's the
13 question I had for him, which was look at this. And
14 I believe if it is him, he's gone, but we'll see.
15 So we're just missing a piece of paper we need to
16 resolve this one.

17 So the next one is Oprah.

18 THE CLERK: 137?

19 THE COURT: Yes, Oprah.

20 We're doing 130 last.

21 (Prospective juror entered the courtroom, and
22 the following proceedings were had herein:)

23 THE COURT: Hi. Have a seat there.

24 The reason you're here is I want to ask you a
25 question about Oprah, and the problem is, if you're

1 out there and I ask you a question about Oprah,
2 there is a risk that maybe they'll make fun of you
3 and I don't want that to happen.

4 PROSPECTIVE JUROR: Thank you.

5 THE COURT: And what you say is you have
6 tickets for Oprah on May 10th, 2011, with friends
7 for four tickets. We -- not "we," my assistant
8 knows somebody at the Oprah empire, we were unable
9 to find out when precisely this taping is, usually
10 two a day, at different times. But the question I
11 have to ask you -- and I have to tell you that
12 whether you get excused for Oprah or not is still a
13 live issue. Ordinarily, as important as Oprah may
14 be to you, we usually don't let people off the hook.
15 But it is possible that we could have the tickets
16 changed to a Friday if they're taping on Friday,
17 which they don't ordinarily do but sometimes they
18 do. Would that make your life easier?

19 PROSPECTIVE JUROR: Of course.

20 THE COURT: It's also possible that if we can
21 do that, we may not be able to switch four tickets,
22 we may be able to switch one. Does that make your
23 life easier or do you have to go with your friends?
24 The one person I know who has going to Oprah eight
25 times said that going with her friends was nice.

1 PROSPECTIVE JUROR: well, especially because
2 the four people that are going, it's been where any
3 one of us would call every day or, you know, all
4 four of us have always been just trying to get
5 tickets, you know.

6 THE COURT: Right. So this has been a
7 long-time project?

8 PROSPECTIVE JUROR: Yes.

9 THE COURT: And all I can promise you is,
10 I'll consider this, okay?

11 PROSPECTIVE JUROR: Thank you.

12 Am I excused now?

13 THE COURT: You certainly are.

14 (Prospective juror exited the jury room, and the
15 following proceedings were had herein:)

16 (Brief pause).

17 THE COURT: what I have in front of me is a
18 sheet that begins "day, John william," then they
19 have the absolutely endless series of names. The
20 first thing usually they start with is date of
21 birth, that's usually how these things start. So
22 they run the date of birth and the date of birth
23 doesn't come up with much, and then they come up
24 with another series. And you can see this
25 (indicating). Then they come up with a series of

1 names, and they finally conclude there is no
2 identifiable record in the NCIC, the identification
3 index. But I don't notice on here, this is what
4 struck me, I don't notice on here a social security
5 number. And usually -- we have one, for example,
6 that's coming up where what I got from NCIC is, if
7 this is a female, this sheet does not apply, if it's
8 a male, it does. So, basically, gender, date of
9 birth, and social security number, that's what they
10 deal with. And this is a guy -- I don't remember if
11 I asked him, and I think the reason I didn't ask him
12 is because there was a "no," but you can pass this
13 along.

14 (Handing document)

15 MR. SCHAR: All right. Thank you.

16 (Brief pause).

17 (The Clerk enters the room:)

18 THE CLERK: I don't see it on the bench.

19 THE COURT: I got it here somewhere. I had
20 it.

21 THE CLERK: Oh, here it is, Your Honor.

22 (Brief pause).

23 MR. SOROSKY: Maybe if we could have the
24 government use their good offices and get this man's
25 record.

1 MR. SCHAR: That is the record.

2 THE COURT: That is, that's what they come up
3 with.

4 You know how we get this, right?

:03AM

5 MR. SOROSKY: No.

6 THE COURT: We use pretrial services, which
7 is an authorized user of NCIC.

8 MR. SOROSKY: Since the FBI has all this
9 evidence against us in the case, maybe --

:03AM

10 THE COURT: Yeah, but if this guy never been
11 arrested, there's no fingerprints, unless he applied
12 for some federal job, which is the consequence --
13 the consequences of a federal job asking people for
14 fingerprints is, I must have gotten out of this jury
15 25 positives where I got a sheet, no criminal
16 history on it, which means that if somebody put any
17 of your names in, something would come back.

:03AM

18 I think I didn't ask him because he checked
19 "no," so I think I'm going to ask him now and that
20 will resolve it.

:04AM

21 MR. SCHAR: Could you tell from reading that
22 what the criminal history is?

23 MR. SOROSKY: For the person regardless of
24 whether it's him or not.

:04AM

25 MR. GOLDSTEIN: Is it one with the various

1 aliases.

2 THE COURT: What the criminal history is,
3 it's fairly impressive, but probably not entirely
4 consistent with the guy's background. What we have
5 here are three assault arrests, six burglary
6 arrests, three larceny arrests, five invasion of
7 privacy arrests, and I believe one obstructing
8 judicial process arrest, and one dangerous drugs
9 arrest, to that we have four burglary convictions,
10 one larceny conviction and one invasion of privacy
11 conviction. It doesn't correspond with the rest of
12 his career, but who knows. Might be some secret
13 criminal. Let me ask him. Bring him in.

14 (Brief pause).

15 THE COURT: Be careful who is born the same
16 day. Many things one should not do is look up their
17 own sheet.

18 (Prospective juror entered the jury room, and
19 the following proceedings were had herein:)

20 THE COURT: Hi. How are. Come in.

21 PROSPECTIVE JUROR: Hi.

22 THE COURT: Have a seat.

23 There is one question that I didn't ask you
24 that I pretty much asked everybody, at least I think
25 I didn't ask you, I can't remember, usually because

1 you checked the box "no," and question is have you
2 ever been arrested or convicted of a crime?

3 PROSPECTIVE JUROR: No, I haven't.

4 THE COURT: How about a traffic ticket?

:06AM

5 PROSPECTIVE JUROR: I had a traffic ticket
6 probably about 20 years ago.

7 THE COURT: What was that for?

8 PROSPECTIVE JUROR: Having my son not
9 strapped in with his seated belt.

:06AM

10 THE COURT: Right. Were you understanding of
11 the officer's actions or did you think he was a
12 little overreaching?

13 PROSPECTIVE JUROR: No, I understood it. I
14 was ticked off on what had happened, but I totally
15 understood it.

:06AM

16 THE COURT: How old is your son?

17 PROSPECTIVE JUROR: He was probably about
18 four.

19 THE COURT: So it wouldn't necessarily be an
20 indication for embarrassment by you?

:06AM

21 PROSPECTIVE JUROR: No, absolutely not.

22 THE COURT: I mean, one of reasons it happens
23 with police officers is they will sometimes look at
24 a father and son in the car and the son is not
25 strapped in and the son is 12 years old and the

:07AM

1 trooper gets the guy out of the car and just says,
2 you know, you really ought to click him in and
3 doesn't give a ticket because the trooper has
4 children of his own and doesn't want to give this
5 son this weapon to use against the father.

6 PROSPECTIVE JUROR: Okay.

7 THE COURT: But that occasionally happens.

8 PROSPECTIVE JUROR: Okay.

9 THE COURT: And that was basically your
10 interaction with the police?

11 PROSPECTIVE JUROR: Yes. Yes. I mean, I've
12 got warnings before. I got one warning before, and
13 again that was about 20 years ago traffic, speeding,
14 but that was it.

15 THE COURT: Okay. Thanks.

16 (Brief pause).

17 (Prospective juror exited the jury room, and the
18 following proceedings were had herein:)

19 (Brief pause)

20 THE COURT: The other problem with some of
21 these things is, sometimes it'll say not a match,
22 pretrial services officer, who is used to looking
23 this up, will note that it's not a match, but they
24 didn't do that in this. But I'm satisfied he's
25 telling the truth.

1 So now we're down to Tweet.

2 (Prospective juror entered the jury room, and
3 the following proceedings were had herein:)

4 THE COURT: Hi. Just go to the end there and
5 have a seat.

6 PROSPECTIVE JUROR: Okay.

7 THE COURT: You've been Tweeting?

8 PROSPECTIVE JUROR: Yes.

9 THE COURT: According to this, you've
10 observed there are windows and a view of the lake in
11 the holding room.

12 PROSPECTIVE JUROR: Yes.

13 And I know a building downtown, so that
14 wasn't intended to --

15 THE COURT: And "I believe ..." this is also
16 from you ".... usually don't dread Sunday night but
17 heading back to jury selection tomorrow has me not
18 excited as opposed to going back to work." You
19 wrote this?

20 PROSPECTIVE JUROR: Yes, I did.

21 THE COURT: I'm shocked and amazed.

22 PROSPECTIVE JUROR: I love my job. I
23 e-mailed a copy of my fee here. I e-mailed a sample
24 of my fee to the judges yesterday because she's
25 requested information about my job.

1 THE COURT: You almost lost the jury summons?

2 PROSPECTIVE JUROR: I was on vacation in
3 Hawaii for ten days before and I thought I left it o
4 my dining room table, when I came back and I
5 couldn't find it, so I was in a panic.

6 THE COURT: Okay. This is a problem.

7 PROSPECTIVE JUROR: Okay.

8 THE COURT: And the reason it's a problem is
9 it falls under the general instruction I gave to the
10 jury about not discussing the case, and anything,
11 including jury selection, is discussing the case.

12 PROSPECTIVE JUROR: Okay.

13 THE COURT: Now, what you may be thinking now
14 is that there's at least some risk that I might lock
15 you up, which I could do, but I'm not. The one
16 thing that we are going to have to have is a
17 hearing, which would probably be a little time off,
18 I mean, it won't be right away, we have a lot of
19 stuff to do right away. And what I think you ought
20 to do is bring to the hearing, you can bring a
21 lawyer of course, but that's actually not so
22 significant, bring to me somebody from the company
23 who can explain to you what it is you do, why
24 Tweeting is important, because this is something
25 that we have to be very careful about.

1 PROSPECTIVE JUROR: I apologize
2 wholeheartedly. I mean, as you can see, I Tweet
3 about random things in my life, and I thought the
4 vagary of it was enough.

:12AM

5 THE COURT: No.

6 PROSPECTIVE JUROR: I mean, I take what you
7 said very seriously, please know that. I apologize
8 to all of you.

:12AM

9 THE COURT: It's difficult enough so that we
10 will have to address it. The one thing I will give
11 you is, we will keep this out of the public record.
12 I suggest that you don't Tweet about this either,
13 because this is part of the case. And the reason
14 I'm doing that is because whatever sanction I impose
15 against you, I don't think you -- it's sometimes not
16 the nicest world out there and I don't think you
17 want to be the target of people who make fun of you
18 because you did this. So we're not going to make
19 this public.

:13AM

20 PROSPECTIVE JUROR: I'm mortified. Again, I
21 didn't intend any wrongdoing and I apologize.

:13AM

22 THE COURT: Right. Now, we'll deal with the
23 other consequences of this later. And it's
24 fortunate that this was discovered, because if it
25 gone on any longer you might have said things that

:13AM

1 were really unfortunate. But it didn't, and I'm not
2 going to assume you would have, I'm just dealing
3 with what was done.

4 But you'll get a notice and we'll deal with
5 it. You are not required, you can if you want to
6 tell your employer, but you are not required to do
7 that until you get a notice which says come in here
8 on such and such a date, okay?

9 PROSPECTIVE JUROR: I really am sorry, Judge.
10 It wasn't my intention to violate your order. I
11 thought the vagaries and my comment could have been
12 anybody anywhere. Please know I had no intention of
13 saying anything specific about --

14 THE COURT: Yeah. I'm not accusing you of
15 subverting the jury process.

16 Okay. Thanks.

17 (Prospective juror exited the jury room, and the
18 following proceedings were had herein:)

19 THE COURT: More than likely I would like to
20 see if she Tweets about this. More than anything on
21 earth, I'd like to see if she Tweets.

22 She, incidentally, was one of the jurors who
23 had commented on my best case scenario. In many
24 ways, it's really unfortunate because she could've
25 been a decent juror, and, in fact, it would have

1 been less boring in what it is she does, but shows a
2 lack of judgment under the circumstances.

3 Having said that, does anyone want to move
4 with respect to this person?

5 MR. GOLDSTEIN: There's agreement.

6 THE COURT: And the agreement is?

7 MR. GOLDSTEIN: To move to strike.

8 THE COURT: Okay. You're sure? Bear in
9 mind, she could sheer up this jury. It's a long
10 trial, somebody gets sick in a week's hiatus --

11 MR. GOLDSTEIN: She might need an attorney
12 later.

13 THE COURT: Okay, I'm going to strike her.

14 MR. SCHAR: Judge, two quick issues from the
15 government while we're back in chambers. I think we
16 reconsidered the position to avoid issues, we'll
17 withdraw the objection to 115.

18 MR. SOROSKY: who?

19 MR. SCHAR: 115.

20 THE COURT: Anybody have a red pen?

21 MR. SOROSKY: Yes, I do.

22 (Brief pause).

23 MR. SCHAR: Just while we're back here, I
24 don't know if you want to hear on the issue of 137,
25 the Oprah tickets. I don't want to embarrass her,

1 in open court either, but, I mean, here's the
2 government's concern -- actually, she's very
3 emotional about the tickets. So, obviously, it's a
4 significant issue for her. You know, at one point
5 you had suggested maybe we'll just take an afternoon
6 or morning off --

7 THE COURT: That was a suggestion.

8 MR. SOROSKY: That was my suggestion. I
9 suggested. I still think it's a good idea.

10 THE COURT: I would never do that. I once in
11 a fairly important case eliminated an entire day of
12 trial because one of my jurors was anesthesiologist
13 who specialized in those operations where somebody
14 was under anesthesia for, like, 18 hours and he was
15 booked for it. And I don't know if they were taking
16 out a heart and putting one in, but it was pretty a
17 grave thing. And he wanted to serve on a jury, and
18 was not a native born American, I gave him a day off
19 for that reason, because of medical emergency,
20 medical necessity for someone unrelated to the case.
21 I think that's about the limit. Oprah, never.

22 MR. SOROSKY: I don't compare the two, but
23 what I'm suggesting is if the taping is at 7:30 --

24 THE COURT: That kind of resolution I left
25 people off early, but to reschedule, no.

1 MR. SOROSKY: No, I meant, we could begin a
2 little late. There are issues we have to argue that
3 day or something.

4 MR. SCHAR: Our concern at doing anything to
5 accommodate it, obviously, opens the floodgates for
6 --

7 THE COURT: Well, we're past that, and the
8 reason we're past that is, I'm pretty sure they
9 don't tape on Friday, and I'm pretty sure it's a
10 dead issue. So it's either I'm going to tell her
11 too bad about Oprah or we're going to let her go for
12 variety of reason or somebody is going to have to
13 exercise first peremptory challenge against her. I
14 don't think this is fixable by making adjustments,
15 and my decision as to whether keeping her from Oprah
16 embitters her against the entire court system with
17 unpredictable results.

18 MR. SOROSKY: Well, let me ask this question,
19 she said, and I'm not familiar with Oprah, in fact I
20 didn't even know they were filming before, if she's
21 on May 10th show, when is that going to be filmed,
22 do we know?

23 MR. SCHAR: The tickets are for May 10th. To
24 the extent you need a party to move for cause, we
25 will move for cause to accommodate her tickets. So

1 we're not doing it in open court. I know Your Honor
2 will consider it with everything else.

3 MR. SOROSKY: Before we do that, can we find
4 out if there's -- is there any way to find out the
5 next day?

6 THE COURT: We're going to find out. We can,
7 in fact, do that, but the initial news we had was
8 something like noon and 4:00.

9 MR. SOROSKY: Well, even 4:00 we can live
10 with.

11 MS. HAMILTON: They have to get there early
12 to line up. There's a whole process there.

13 THE COURT: I know, and the wolf has gone to
14 Oprah several times and she's very familiar with the
15 process and she has a friend to discuss this with.
16 One accomodation I'll perfectly be willing to make
17 is, if you can get four tickets for Friday, maybe,
18 but even that is stretching it. On the other hand,
19 Oprah is an important character in American life and
20 some people care deeply about that, and that kind of
21 accomodation can be made because it doesn't
22 interfere with the trial at all.

23 So the Oprah issue, if it were subject to
24 easy resolution, yeah, but it isn't. We're faced
25 with something that we can't fix and the judgment I

1 have to make, in light of the government's
2 challenge, and, in all honesty, the judgment I make
3 even if nobody challenges her, is whether this Oprah
4 stuff means something to her. And I'm inclined to
5 believe it did based on her expression when she was
6 sitting here.

7 MR. SOROSKY: well, we'll discuss it amongst
8 us and we'll get back to you.

9 THE COURT: okay.

10 (The following proceedings were had in open
11 court:)

12 THE CLERK: Remain seated.

13 Please remain seated. We'll resume in
14 session.

15 THE COURT: Counsel, approach the bench.

16 For the record, we have considered 115
17 matters where it was my judgment that the juror's
18 privacy was of significant value. Both parties
19 agreed that the individual should be dismissed for
20 cause.

21 107 -- we did 107 in open court.

22 121 was asked a question he may have been
23 asked before and satisfied us that his answer on the
24 questionnaire and whatever answer he made in court,
25 which would be consistent with the questionnaire,

1 there's no reason to doubt it. So 121 remains.

2 Juror 130 was, after a brief discussion,
3 dismissed by agreement of the parties.

4 And juror 137 was questioned with respect to
5 tickets that she had to Oprah and the issue of her
6 service is still open.

7 what we have left out of persons who have
8 already been questioned: Juror 118 who was
9 questioned in open court, we need additional
10 financial data which the juror promised to deliver.
11 There a couple of here that we have to check they
12 might not still be pending but they might be.

13 Juror 157, we discussed financial hardship in
14 open court. We did not speak to him in the jury
15 room, but what we still have left or need from him
16 is some support for the claim of financial hardship,
17 which he agreed to provide.

18 And then we also have juror 166, who needs to
19 provide financial hardship data.

20 It should also be noted that a certain number
21 of jurors, jurors who have been summoned, specific
22 juror 105, juror 109, juror 129, juror 168, are
23 no-shows. We have applied the rule without
24 objection that two no-shows means dismissal. As is
25 our practice, the jury office will follow up on

1 these because it's our policy not to ignore
2 no-shows. So that's where we are.

3 Sometime a little after noon we will begin
4 questioning those jurors who have been addressed
5 yesterday in a larger group who were left over. We
6 will deal with them and then after that we have a
7 new group coming in and they get the introductory
8 talk as well.

9 So I think that's where we are. Then I think
10 at the end of today or maybe early tomorrow morning,
11 we will all go together with our own lists and we'll
12 see what the numbers are. There are two or three
13 decisions still floating out there.

14 okay? See you after the noon hour.

15 MR. SOROSKY: 1:30?

16 THE COURT: No, they're coming in at noon.
17 The ones from yesterday that were left over that we
18 didn't get to are coming in around noon, we're going
19 to start with them.

20 MR. SOROSKY: So what time?

21 THE COURT: A little after noon.

22 MR. SOROSKY: Oh. 12:00 o'clock.

23 MR. SCHAR: 12:00.

24

25

1

2

THE COURT: Okay. Thanks.

3

(Luncheon recess taken from 11:35 o'clock p.m.

4

to 12:00 o'clock p.m.)

5

:35AM

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,

Government,

vs.

ROD BLAGOJEVICH,

Defendant.

No. 08 CR 888

Chicago, Illinois

April 27, 2011

12:30 o'clock p.m.

VOLUME 4
TRANSCRIPT OF PROCEEDINGS
BEFORE THE HONORABLE JAMES B. ZAGEL
AND A JURY

For the Government:

THE HONORABLE PATRICK J. FITZGERALD,
UNITED STATES ATTORNEY

BY: Reid J. Schar

Carrie E. Hamilton

Christopher Niewoehner

Assistant United States Attorneys

219 South Dearborn Street;

Suite 500

Chicago, Illinois 60604

Court Reporter:

Blanca I. Lara, CSR, RPR

219 South Dearborn Street

Room 2504

Chicago, Illinois 60604

(312) 435-5895

1 APPEARANCES (continued:)

2

3 For Defendant Rod Blagojevich:

4 KAPLAN & SOROSKY
5 BY: Sheldon M. Sorosky
6 158 West Erie
Chicago, Illinois 60610
(312) 640-1776

7

8 LAW OFFICE OF Elliott Riebman
9 BY: Elliott Riebman
10 158 East Erie
Chicago, Illinois 60610
(847) 814-2900

10

11

12 OFFICES OF AARON B. GOLDSTEIN
13 BY: Aaron Benjamin Goldstein
6133 South Ellis
Chicago, Illinois 60637
(773) 752-6950

14

15 OFFICES OF LAUREN FAUST KAESEBERG
16 BY: Lauren Faust Kaeseberg
2140 N. Lincoln Park West
Suite 307
17 Chicago, Illinois 60614
(773) 517-0622

18

19

20

21

22

23

24

25

1 (The following proceedings were had in open
2 court:)

3 (Prospective juror entered the courtroom, and
4 the following proceedings were had herein:)

5 THE COURT: Hi.

6 PROSPECTIVE JUROR: Hi.

7 THE COURT: You are 176?

8 PROSPECTIVE JUROR: Yes.

9 THE COURT: Okay. I'm going to ask you some
10 questions, as soon as I find my notes. I'm not
11 going down a whole list of things you were asked in
12 the questionnaire.

13 PROSPECTIVE JUROR: Okay.

14 THE COURT: I'm just going to touch on a
15 couple of specific things.

16 what exactly do you do at work?

17 PROSPECTIVE JUROR: I'm a licensed attorney,
18 but my title is Director Assistant Vice President of
19 Pollutions Claim at Zurich North America. I
20 supervise a staff of 13 individuals where we handle
21 pollution claims or environmental claims that are
22 made on the insurance product that are sold by
23 Zurich.

24 THE COURT: So you deal with the validity of
25 claims that may be questions of coverage?

1 PROSPECTIVE JUROR: Yes.

2 THE COURT: Okay. With respect to the
3 company, at large, if you know, is this a big part
4 of their business, a small part of their business,
5 or medium part of their business?

6 PROSPECTIVE JUROR: I would say it's probably
7 a middle, mid subsection of their business. The
8 insurance products themselves is a huge portion of
9 what the financial services company does, but the
10 pollution claims do come in under all 7 business
11 units that make up Zurich North America, so it's a
12 fairly large subsection.

13 THE COURT: Do these claims tend to be
14 relatively large in themselves?

15 PROSPECTIVE JUROR: A number of them are,
16 very large and complex, often involving
17 multimillion-dollar implications; although, we do
18 have some very small auto type losses that maybe
19 aren't as large.

20 THE COURT: Okay. Your father is a retired
21 police officer?

22 PROSPECTIVE JUROR: Yes, he is.

23 THE COURT: Where was he a police officer?

24 PROSPECTIVE JUROR: The Homewood Police
25 Department, down in the south suburbs.

1 THE COURT: Right. And what kind of practice
2 did you have before you left, before you went to
3 where your current employment is?

4 PROSPECTIVE JUROR: The job I had before was
5 at a family law practice where I did divorce, I also
6 did the real estate book of business there, and I
7 also handled bankruptcy cases.

8 THE COURT: Okay. A family practice?

9 PROSPECTIVE JUROR: Yes. Uh-huh.

10 THE COURT: You have a relative in the
11 military?

12 PROSPECTIVE JUROR: Yes, I've had my
13 grandfather, my uncle, and I currently have a cousin
14 who is serving in Afghanistan.

15 THE COURT: Okay. You answered yes to the
16 question about whether a family member or close
17 friend has ever been sued or been sued by someone
18 else, and talk about a close friend suing, you talk
19 about a husband being sued. Are these cases that
20 you were, like, deeply involved in just stuff that
21 you know about?

22 PROSPECTIVE JUROR: I was not deeply involved
23 in them but I know about them.

24 THE COURT: So because we ask the question,
25 these were not major events in your life?

1 PROSPECTIVE JUROR: No, they were not.

2 THE COURT: Okay. And you had a lawyer for
3 real estate transaction?

4 PROSPECTIVE JUROR: Yes.

:38PM

5 THE COURT: And you testified in court
6 yourself or someone close to you?

7 PROSPECTIVE JUROR: I have not myself
8 testified in the court. And I don't believe I've
9 had -- aside from the friend who was involved in
10 litigation, that's, I think, how I would be
11 answering that question.

:39PM

12 THE COURT: Right. And you characterized
13 them as nervous but vindicated since they prevailed.

14 PROSPECTIVE JUROR: Yes.

:39PM

15 THE COURT: What do you belong to? Groups
16 organizations, what do you support, stuff like that?

17 PROSPECTIVE JUROR: Aside from being a member
18 of the Bar, I'm also a member of the Counsel of
19 Litigation Management which is a professional
20 organization where I hold a cochair position for
21 that organization as it relates to pollution
22 litigation.

:39PM

23 THE COURT: Right.

:39PM

24 PROSPECTIVE JUROR: Aside from church
25 affiliation, I really don't have any other sorts of

1 associations.

2 THE COURT: Other than some Bar group, are
3 you particularly active in any group or are you just
4 a member?

5 PROSPECTIVE JUROR: No, just a member.

6 THE COURT: And your political involvement is
7 attending a dinner benefit from a former governor of
8 Illinois?

9 PROSPECTIVE JUROR: Yes.

10 THE COURT: And you did this when you were in
11 college or law school?

12 PROSPECTIVE JUROR: Yes.

13 THE COURT: So somebody invited you?

14 PROSPECTIVE JUROR: Yes. In fact, I think it
15 was my mother who invited me.

16 THE COURT: So it was not your idea?

17 PROSPECTIVE JUROR: No.

18 THE COURT: There are two questions that I
19 wind up almost asking every prospective juror about,
20 and that is about public officials concerning their
21 personal financial interests and public officials
22 making decisions to benefit contributors, and in
23 both cases your answer is:

24 "Yes, it happens, only sometimes."

25 And you believe that in order to move

1 political agendas forward that sometimes occurs.

2 PROSPECTIVE JUROR: Uh-huh.

3 THE COURT: Now, we ask that as an
4 open-handed question, but I want to make sure you
5 understand, I'm quite sure you actually do but I'd
6 like to have it on the record, what's at issue here
7 is not the general proposition of what campaign
8 contributions mean or what a politician's personal
9 interests are, it's fairly narrow. In this case the
10 jury has to decide whether the government has proved
11 beyond a reasonable doubt that a specific politician
12 violated, as he is accused of doing, certain federal
13 laws and that's all you're supposed to decide, you
14 understand that?

15 PROSPECTIVE JUROR: Yes, I do.

16 THE COURT: You're not going to be asked to
17 express opinions on the greater issues of campaign
18 contributions, do you understand that?

19 PROSPECTIVE JUROR: Yes, I do.

20 THE COURT: Hobbies?

21 PROSPECTIVE JUROR: Personally, reading is
22 one of my big hobbies, I also do a fair amount of
23 boating with family in Michigan when the weather
24 permits.

25 THE COURT: What kind of boat?

1 PROSPECTIVE JUROR: It's a Bayliner 28-foot.

2 THE COURT: What?

3 PROSPECTIVE JUROR: 28-foot, it's my parents,
4 so grew up doing boating.

5 THE COURT: And your kids like that?

6 PROSPECTIVE JUROR: Yes.

7 THE COURT: Are you somebody who really
8 pursues the news? Is this a big part of your life,
9 you want to be up to date on everything?

10 PROSPECTIVE JUROR: I most certainly like to
11 keep abreast of what's current and what's happening
12 out there. The ones that particularly impact me or
13 my family I most certainly keep up to date on those
14 sorts of things, but I think probably just, you
15 know, on average, I'll look at headlines on a daily
16 basis just to see what might be out there, but
17 nothing, I would say, independently that I'm
18 reviewing on a daily basis or want to know.

19 THE COURT: well, let me phrase it a
20 different way.

21 PROSPECTIVE JUROR: Okay.

22 THE COURT: Are you the kind of person who
23 can't wait to turn on a computer and click on a
24 variety of news sources to find out, say, what's
25 happening with banking laws in Slavonia?

1 PROSPECTIVE JUROR: No, I am not that person.

2 THE COURT: Okay. You took your son to
3 Children's Memorial Hospital?

4 PROSPECTIVE JUROR: I did.

5 THE COURT: How long ago was that?

6 PROSPECTIVE JUROR: That would have been
7 about 3 years ago.

8 THE COURT: And everything was fine in the
9 end?

10 PROSPECTIVE JUROR: Yes.

11 THE COURT: You did pay some--if I'm reading
12 this correctly--you did pay some attention to the
13 events earlier in this case but not a lot, have I
14 correctly inferred this from your answers?

15 PROSPECTIVE JUROR: That would be accurate,
16 yes.

17 THE COURT: Do you understand that whatever
18 you heard or read before doesn't count in this
19 proceeding, it's only what's introduced in this
20 courtroom, do understand that?

21 PROSPECTIVE JUROR: Yes, I do.

22 THE COURT: And will you be able to comply
23 with that rule?

24 PROSPECTIVE JUROR: Yes.

25 THE COURT: Thank you.

1 (Prospective juror exited the courtroom, and the
2 following proceedings were had herein:)

3 (Brief pause).

4 (Prospective juror entered the courtroom, and
5 the following proceedings were had herein:)

6 THE COURT: You're number 177?

7 PROSPECTIVE JUROR: Yes.

8 THE COURT: Would you state your name --
9 don't state your name. That's what I meant to say,
10 don't state your name.

11 where were you born?

12 PROSPECTIVE JUROR: India.

13 THE COURT: And what was the first language
14 you spoke?

15 PROSPECTIVE JUROR: Oriya.

16 THE COURT: You indicated that you're not
17 confident in your ability to fully understand
18 English, is that correct?

19 PROSPECTIVE JUROR: Yes.

20 THE COURT: What do you do for a living?

21 PROSPECTIVE JUROR: I work at a hospital.

22 THE COURT: And what do you do at the
23 hospital?

24 PROSPECTIVE JUROR: I work in the therapist,
25 hospital.

1 THE COURT: Put the microphone close to your
2 mouth.

3 what do you do in the hospital?

4 PROSPECTIVE JUROR: Ah, hospital therapist.

: 46PM

5 THE COURT: So you deal with people who have
6 difficulty breathing?

7 PROSPECTIVE JUROR: Yes.

8 THE COURT: How long have you done that work?

9 PROSPECTIVE JUROR: 3 years.

: 46PM

10 THE COURT: Were you trained to do that in
11 India or did you learn that here?

12 PROSPECTIVE JUROR: Here.

13 THE COURT: And you have asthma yourself?

14 PROSPECTIVE JUROR: (NO response.)

: 46PM

15 THE COURT: You have asthma?

16 PROSPECTIVE JUROR: Yeah. Yeah, I have.

17 THE COURT: And you take medication for that?

18 PROSPECTIVE JUROR: Yes.

19 THE COURT: You have three children?

: 47PM

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: How old is the youngest one?

22 PROSPECTIVE JUROR: Youngest one?

23 THE COURT: Yeah.

24 PROSPECTIVE JUROR: 16.

: 47PM

25 THE COURT: And the youngest one, how old is

1 the youngest one?

2 PROSPECTIVE JUROR: 5.

3 THE COURT: You watch TV?

4 PROSPECTIVE JUROR: Yes.

5 THE COURT: what channels do you watch?

6 PROSPECTIVE JUROR: what channel? 7.

7 THE COURT: Say that again.

8 PROSPECTIVE JUROR: 7.

9 THE COURT: Channel 7.

10 PROSPECTIVE JUROR: (Nodding).

11 THE COURT: Ever served on a jury before?

12 PROSPECTIVE JUROR: No.

13 THE COURT: Have you ever been summoned for
14 jury duty?

15 PROSPECTIVE JUROR: No.

16 THE COURT: Thank you.

17 PROSPECTIVE JUROR: You're welcome.

18 (Prospective juror exited the courtroom, and the
19 following proceedings were had herein:)

20 (Brief pause).

21 (Prospective juror entered the courtroom, and
22 the following proceedings were had herein:)

23 THE COURT: You are 178?

24 PROSPECTIVE JUROR: Yes, sir.

25 THE COURT: You're currently unemployed?

1 PROSPECTIVE JUROR: Yes, sir. I'm on
2 disability.

3 THE COURT: Okay. When did you on
4 disability?

5 PROSPECTIVE JUROR: Oh, it's about 5, 6 years
6 ago, back operation.

7 THE COURT: And what did you do before then?
8 What kind of work did you do before then?

9 PROSPECTIVE JUROR: well, my last job before
10 that, delivery driver for a company for about
11 9 months, before that I was living off my uncle,
12 before he died he helped me, before that I was in
13 building maintenance.

14 THE COURT: How long did you do building
15 maintenance work?

16 PROSPECTIVE JUROR: I worked at a place
17 called Best Foods for 10 years driving a forklift
18 and various other operating machinery.

19 THE COURT: And then you became physically
20 disabled to do that, is that right?

21 PROSPECTIVE JUROR: Yes, that's what the
22 doctor told me.

23 THE COURT: Did you work for Postal Service
24 at all?

25 PROSPECTIVE JUROR: No, they didn't contact

1 me.

2 THE COURT: Ever been arrested or convicted
3 of a crime?

4 PROSPECTIVE JUROR: Yes, sir.

5 THE COURT: And what was that?

6 PROSPECTIVE JUROR: Attempted burglary of a
7 boxcar, railroad car.

8 THE COURT: How long ago was that?

9 PROSPECTIVE JUROR: About 30 years.

10 THE COURT: And what was the sentence?

11 PROSPECTIVE JUROR: 6 months probation.

12 THE COURT: Did you successfully complete the
13 probation?

14 PROSPECTIVE JUROR: Yes, I did.

15 THE COURT: Other than the attempted
16 burglary, have you ever been arrested for something,
17 arrested for something where you weren't acquitted?

18 PROSPECTIVE JUROR: Yes.

19 THE COURT: And what was that?

20 PROSPECTIVE JUROR: They accused me of
21 stabbing my brother in a family dispute, which was
22 self-defense and that was thrown out.

23 THE COURT: Anything else?

24 PROSPECTIVE JUROR: Nope.

25 No, sir, I should have said.

1 THE COURT: What?

2 PROSPECTIVE JUROR: No, sir, I should have
3 said, sorry.

4 THE COURT: Have you been the victim of a
5 crime yourself?

6 PROSPECTIVE JUROR: Yes. Yes, I was.

7 THE COURT: And what was that?

8 PROSPECTIVE JUROR: I went to get cigarettes
9 for my girlfriend and her girlfriend and the gas
10 station was closed, and, obviously, I still had the
11 money on me, I was walking up my stairs, somebody
12 came in and stuck something on my back, said he had
13 a gun, he wanted the money, so I gave it to -- well,
14 I didn't give it him, he took it out of my pocket.

15 THE COURT: Okay. Was anybody ever caught
16 for that?

17 PROSPECTIVE JUROR: No, I never -- I never
18 bothered with it. The guy took off and I didn't see
19 him.

20 THE COURT: Ever hire a lawyer for any
21 reason?

22 PROSPECTIVE JUROR: Well, yeah, for my
23 attempted burglary and then my brother hired a
24 lawyer, dealing with my brother.

25 THE COURT: Ever testified in the court

1 yourself?

2 PROSPECTIVE JUROR: No, except on my own on
3 behalf.

4 THE COURT: But you did testify?

5 PROSPECTIVE JUROR: well, not guilty, of
6 course, yes.

7 THE COURT: But did you get up on the witness
8 stand and tell your story?

9 PROSPECTIVE JUROR: No, it was just -- it was
10 just before; it was a bench trial.

11 THE COURT: Okay. Do you read anything?

12 PROSPECTIVE JUROR: Reader's Digest, almost
13 anything I could get my hands on.

14 THE COURT: Okay. Where do you get your news
15 from?

16 PROSPECTIVE JUROR: Mostly through the media;
17 newspaper, TV.

18 THE COURT: What newspaper do you read?

19 PROSPECTIVE JUROR: well, probably most I get
20 the Sun-Times, but I only read that to do the
21 crossword.

22 THE COURT: All right. Do you watch any
23 television news?

24 PROSPECTIVE JUROR: News? Not particularly,
25 but occasionally.

1 THE COURT: Do you use a computer at all? Do
2 you go on the Internet?

3 PROSPECTIVE JUROR: No.

4 THE COURT: Since you can't work because
5 you're disabled, what do you do all day?

6 PROSPECTIVE JUROR: Ah, I sit around, do, you
7 know, basic chores, go walking, do my shopping.

8 THE COURT: Watch a lot of television?

9 PROSPECTIVE JUROR: Yeah. Not news, but
10 mostly --

11 THE COURT: Whatever it is.

12 PROSPECTIVE JUROR: Beverly hillbilly, Gun
13 Smoke, and, you know, all the old black and whites.

14 THE COURT: Yeah. So you like those
15 programs?

16 PROSPECTIVE JUROR: Oh, yeah, brings back a
17 lot of old memories.

18 THE COURT: Do you remember much about this
19 case from the news?

20 PROSPECTIVE JUROR: No, not much, just said
21 he was convicted and, you know, the one thing and
22 everything else was thrown out. I don't pay much
23 attention to news, except I watch the weather and
24 I'm not much into sports, except for the Black Hawks
25 which they're gone now.

1 THE COURT: Think you'd be a fair juror?

2 PROSPECTIVE JUROR: I'd like to think so.

3 THE COURT: Okay. Thank you.

4 Oh, one other thing.

:55PM

5 PROSPECTIVE JUROR: Yes, sir.

6 THE COURT: You indicated that you may have a
7 problem affording transportation to come here, is
8 that true?

9 PROSPECTIVE JUROR: Yes.

:55PM

10 THE COURT: How did you come here?

11 PROSPECTIVE JUROR: Pardon?

12 THE COURT: How did you get here today?

:55PM

13 PROSPECTIVE JUROR: I received my check from
14 the questionnaire last week, so I was able to cash
15 that and my brother -- but my brother -- yesterday,
16 my brother gave me the money to get here.

17 THE COURT: Okay. How much does it cost you
18 to get here?

19 PROSPECTIVE JUROR: \$8.

:55PM

20 THE COURT: Is that round trip?

21 PROSPECTIVE JUROR: Yeah, round trip. 4.00
22 here and 4.00 back.

23 THE COURT: Okay. Thank you.

24 PROSPECTIVE JUROR: Okay, thank you, Judge.

25 (Prospective juror exited the courtroom, and the

1 following proceedings were had herein:)

2 (Brief pause).

3 (Prospective juror entered the courtroom, and
4 the following proceedings were had herein:)

:56PM

5 THE COURT: You're number 179?

6 PROSPECTIVE JUROR: Yes.

7 THE COURT: The librarian?

8 PROSPECTIVE JUROR: Yes.

:57PM

9 THE COURT: And you have two degrees,
10 including an advanced degree in computer and library
11 stuff, is that right?

12 PROSPECTIVE JUROR: That's correct.

13 THE COURT: And this is what you wanted to do
14 all along?

:57PM

15 PROSPECTIVE JUROR: No, my original degree
16 was computer science and then I decided to get a
17 Master's in library science and changed my careers.

18 THE COURT: And how long have you worked in
19 library science?

:57PM

20 PROSPECTIVE JUROR: Almost 4 years.

21 THE COURT: Are you satisfied with it?

22 PROSPECTIVE JUROR: Yes, I love my job.

23 THE COURT: And what do you actually do at
24 the library?

:57PM

25 PROSPECTIVE JUROR: I do the website for the

1 library, I do reference, collection development,
2 programming, I do the Facebook page there, I do all
3 the technology stuff in the adult services
4 department.

5 THE COURT: And it says here that you
6 supervise people but the people are volunteers.

7 PROSPECTIVE JUROR: Yeah. Just very, very
8 low-level volunteer supervision.

9 THE COURT: How many employees does the
10 library have?

11 PROSPECTIVE JUROR: I think it's around 50 or
12 so. I don't know the exact number.

13 THE COURT: Back in the middle ages when I
14 was around, the way you measured a library was how
15 many volumes it has, is that still a measure?

16 PROSPECTIVE JUROR: Yeah, we still count how
17 many materials we have. When you say "volumes" you
18 mean books and materials and stuff?

19 THE COURT: Books.

20 PROSPECTIVE JUROR: Yeah. We also have a lot
21 of media CD's and DVD's of that sort. So we do
22 count.

23 THE COURT: By that standard, is this small,
24 medium or large library?

25 PROSPECTIVE JUROR: I'd say medium sized

1 library.

2 THE COURT: What does your husband do?

3 PROSPECTIVE JUROR: He's a Fed Ex driver.

4 THE COURT: And he's a part owner of another
5 kind of business?

6 PROSPECTIVE JUROR: Yeah, he just started
7 that. It's basically filter distribution, it's a
8 side business.

9 THE COURT: Do you help him in his business?

10 PROSPECTIVE JUROR: No.

11 THE COURT: Were you in some kind of business
12 together? I don't understand the answer here.

13 PROSPECTIVE JUROR: I think it was like 8 or
14 9 years ago, we decided to try and start a Jani-King
15 business, it was like office cleaning, but it didn't
16 really click with us and we decided to end it. I
17 think we only did it for maybe 6 months.

18 THE COURT: And your husband applied for
19 various law enforcement positions?

20 PROSPECTIVE JUROR: He did. For about a year
21 and a half he applied to a lot of the police
22 departments in various suburbs and the Cook County
23 Jail, I believe.

24 THE COURT: Right.

25 PROSPECTIVE JUROR: He wanted to try to be a

1 police officer, but it just became kind of tedious,
2 then he decided to stop applying because he couldn't
3 get -- you know, he wasn't getting called, and he
4 decided to go with something else instead, with
5 business, and just stick with Fed Ex for a while.

6 THE COURT: Okay. Does he like his job?

7 PROSPECTIVE JUROR: No.

8 THE COURT: You don't have to. There's no
9 law against it.

10 PROSPECTIVE JUROR: Yeah. That's why he's
11 trying to do something else. It's a hard job.

12 THE COURT: Yeah.

13 PROSPECTIVE JUROR: It's physically
14 demanding.

15 THE COURT: You have your credit card
16 stolen? Was that you?

17 PROSPECTIVE JUROR: Yes.

18 THE COURT: Did that cause a significant loss
19 to you or --

20 PROSPECTIVE JUROR: No, I think they went and
21 bought like 10 cartons of cigarettes and some gas,
22 and then I just called my credit company and they
23 reimbursed me and put a stop on it.

24 THE COURT: You hired a lawyer yourself, you
25 and your husband, on occasion?

1 PROSPECTIVE JUROR: Yeah, we had a lawyer
2 once.

3 THE COURT: Okay. Were you satisfied with
4 what the lawyer did?

5 PROSPECTIVE JUROR: Yes.

6 THE COURT: And you and your husband were
7 both interviewed in connection with a crime
8 perpetrated against your husband's ex-partner?

9 PROSPECTIVE JUROR: Yeah.

10 THE COURT: How long ago was that?

11 PROSPECTIVE JUROR: 2 years ago.

12 THE COURT: And the accused person, they did
13 prosecute that person?

14 PROSPECTIVE JUROR: Yeah. Yeah, they did.
15 I'm not sure, I think he's 25 years in prison.

16 THE COURT: Right.

17 And you once, I think it's once, you wrote a
18 letter to a government official emphasizing the need
19 to release funds for libraries?

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: Is that just the one time?

22 PROSPECTIVE JUROR: Yeah, that was just the
23 one time.

24 THE COURT: And you don't actually remember
25 the person you wrote to?

1 PROSPECTIVE JUROR: No, I don't.

2 THE COURT: Is that something that was your
3 own idea or was that part of an organization?

4 PROSPECTIVE JUROR: It was kind of a group
5 effort. We were asked -- you know, requested by the
6 American Library Association to, you know, just to
7 write a letter to this person, you know, asking for
8 the funds to be released.

9 THE COURT: The questions also asked about
10 things you belong to.

11 PROSPECTIVE JUROR: Uh-huh.

12 THE COURT: And you have an answer here about
13 various things.

14 PROSPECTIVE JUROR: Uh-huh.

15 THE COURT: Is there any particular
16 organization that with respect to either you
17 or husband takes a lot of your time?

18 PROSPECTIVE JUROR: No.

19 THE COURT: Are there any for which you
20 actually do some work or contribute some substantial
21 amount of money?

22 PROSPECTIVE JUROR: No.

23 THE COURT: And you indicated that you do
24 believe that a public official may make decisions to
25 benefit contributors so that they continue to

1 receive that money for reelection, you did say that?

2 PROSPECTIVE JUROR: Yeah, I think I responded
3 yes.

4 THE COURT: The one thing I want to clarify
5 here is, these are very general questions that are
6 designed to find out what one person's attitude is,
7 but this case, the trial of this case does not at
8 all involve general decisions about campaign

9 contributions, it involves whether the government
10 proves its case charging the defendant with certain
11 specific violations of federal law. So we're not
12 going to be dealing with the general issue of
13 campaign contributions, do you understand that?

14 PROSPECTIVE JUROR: Yes.

15 THE COURT: Is there anything about your view
16 on campaign contributions that will make it
17 difficult for you to be fair and impartial on that
18 issue?

19 PROSPECTIVE JUROR: No.

20 THE COURT: Hobbies, interests, things you
21 like to do when you're not at the library?

22 PROSPECTIVE JUROR: Swimming, running,
23 biking, knitting, reading, walking my dogs, going to
24 movies.

25 THE COURT: You got almost all of them that

1 you listed here.

2 PROSPECTIVE JUROR: Yeah.

3 THE COURT: Is there any one you do more than
4 others?

5 PROSPECTIVE JUROR: Is there any what?

6 THE COURT: Any one of those activities that
7 you do more than any other activity?

8 PROSPECTIVE JUROR: Swimming and biking.

9 THE COURT: Okay. We also asked you about
10 books, and you said you, as a librarian, you really
11 will read almost anything to which you are exposed.
12 Does that mean that there are some books that you
13 read because you feel you have to, it's an object of
14 duty for you?

15 PROSPECTIVE JUROR: No. No.

16 THE COURT: Is there any class -- usually
17 with somebody who's not a librarian, a potential
18 juror, we ask them what kind of books do you like to
19 read.

20 PROSPECTIVE JUROR: What kind of books do I
21 like to read?

22 THE COURT: Yeah, but I don't want to ask you
23 that question because you already answered that one.
24 Any kind of books you hate reading?

25 PROSPECTIVE JUROR: Romance.

1 THE COURT: What.

2 PROSPECTIVE JUROR: Romance.

3 THE COURT: Romance.

4 The most important source of news for you,
5 you said was the Internet.

6 PROSPECTIVE JUROR: Yeah. Yeah. I just
7 don't watch news that afternoon.

8 THE COURT: Now, when you're on the Internet,
9 are you systematically tracking down news or is this
10 just something you do when you have a few moments?

11 PROSPECTIVE JUROR: Yeah, I mean, headlines,
12 if I see something that strikes me addressed on
13 Internet Service Provider, Comcast main page, then
14 I'll click on it. But, no, not really, you know, I
15 just don't track it down. I follow the weather a
16 lot, but...

17 THE COURT: Right. Now, there's no
18 particular paper, in fact no paper at all, that you
19 regularly read from cover to cover, is that correct?

20 PROSPECTIVE JUROR: No, not regularly.
21 Occasionally I'll read the Carol Stream Press just
22 'cause it's local and has a lot to do with people I
23 know.

24 THE COURT: And you have not read a lot about
25 this case, is that correct?

1 PROSPECTIVE JUROR: No. I mean, when I was
2 notified that I'd be, you know, coming to jury duty,
3 I kind of figured out that this is what it was, so I
4 read a few things after because I was curious.

:08PM

5 THE COURT: Okay.

6 PROSPECTIVE JUROR: But I had no idea about
7 the first case, I didn't follow anything. Just
8 didn't strike my interest.

:08PM

9 THE COURT: Okay. The basic rule if you
10 serve on a jury in a case is that you have to decide
11 the case on the basis of the evidence you hear in
12 court and nothing else. Do you think you can do
13 that?

14 PROSPECTIVE JUROR: Yes.

:08PM

15 THE COURT: Okay. And the reason I say this
16 is is that it's possible, particularly with a case
17 like this but with other cases as well, that you may
18 have read something or heard something about it, and
19 that does not disqualify you from being a juror.

:08PM

20 The only thing we ask is that whatever you heard or
21 whatever you read, even if you have an opinion, you
22 have to put it to one side. We don't ask you to
23 forget it, that's pretty impossible to do, we ask
24 you to remember it quite clearly and just make sure
25 that it's not on the scales when you weigh the

:09PM

1 evidence, do you understand that?

2 PROSPECTIVE JUROR: Yes.

3 THE COURT: And the question is, can you do
4 that and will you do that?

5 PROSPECTIVE JUROR: Yes.

6 THE COURT: I have read the letter from the
7 library and the letter for you which indicates that
8 while you're perfectly willing to serve on a jury,
9 this is not a good time to do that. Is that still
10 true?

11 PROSPECTIVE JUROR: Yeah, I mean, they are
12 hiring another librarian just in addition to our
13 department, so I think that helps a little but ...

14 THE COURT: So it's still there but it's not
15 quite as urgent as it was, is that correct?

16 PROSPECTIVE JUROR: Right. Right.

17 THE COURT: Okay. And I will take that into
18 consideration, but I'll just have to weigh it, do
19 you understand that?

20 PROSPECTIVE JUROR: Sure.

21 THE COURT: Okay. Thank you.

22 PROSPECTIVE JUROR: Okay.

23 (Prospective juror exited the courtroom, and the
24 following proceedings were had herein:)

25 (Brief pause)

1 THE COURT: We do have a no-show, this is
2 number 180, and based on my reading of the
3 questionnaire, I believe I can understand why this
4 particular juror did not appear. We'll make
5 inquires, but the questionnaire did display some
6 significant indications that this person did not
7 feel -- that's the wrong word, did not think, did
8 not regard herself as qualified, but we'll make
9 further inquiry.

10 okay, 181.

11 (Prospective juror entered the courtroom, and
12 the following proceedings were had herein:)

13 THE COURT: You're number 181?

14 PROSPECTIVE JUROR: That's correct.

15 THE COURT: I'm just going to go -- I'm going
16 to ask you some questions, I'm not going to ask you
17 every question you had in the questionnaire, that's
18 why we gave you the questionnaire so we don't have
19 to ask each one.

20 The work you do now you've done for a very
21 long time?

22 PROSPECTIVE JUROR: I'm retired right now.

23 THE COURT: But the work you did, sorry. You
24 did that for a very long time.

25 PROSPECTIVE JUROR: Yes.

1 THE COURT: Did you work for the same
2 employer throughout that period of time?

3 PROSPECTIVE JUROR: Correct.

4 THE COURT: Did you like the work?

5 PROSPECTIVE JUROR: Of course.

6 THE COURT: The only time you ever consulted
7 a lawyer was for a will and a trust and when you
8 wanted to buy property?

9 PROSPECTIVE JUROR: Correct.

10 THE COURT: Did you actually serve on a jury?

11 PROSPECTIVE JUROR: No, I was called but he
12 pleaded guilty so we never did anything.

13 THE COURT: Okay. Was this in state court?

14 PROSPECTIVE JUROR: No, it was for Cook
15 County.

16 THE COURT: Cook County court?

17 PROSPECTIVE JUROR: Yes.

18 THE COURT: And it was one day, one jury?

19 PROSPECTIVE JUROR: Right.

20 THE COURT: Do you belong to anything, donate
21 money to anything?

22 PROSPECTIVE JUROR: The church.

23 THE COURT: Okay.

24 PROSPECTIVE JUROR: I give to Goodwill.

25 THE COURT: Now that you're retired, what do

1 you do with yourself?

2 PROSPECTIVE JUROR: I watch my grand kids, I
3 go out with my friends for lunch, clean house.
4 Clean places that haven't been cleaned for 23 years.

5 THE COURT: How long have you been retired?

6 PROSPECTIVE JUROR: Since July.

7 THE COURT: Are you going to start working
8 again, ever?

9 PROSPECTIVE JUROR: I hope not.

10 THE COURT: Okay. What do you read?

11 PROSPECTIVE JUROR: What do I read?

12 THE COURT: Yeah.

13 PROSPECTIVE JUROR: I just got done with
14 Vonage books, the Dragon, the Girl with the Dragon
15 Tattoo, I read that series, I just finished those.

16 THE COURT: How about the news?

17 PROSPECTIVE JUROR: The news? No, not
18 really.

19 THE COURT: Do you read the papers at all?

20 PROSPECTIVE JUROR: I read the travel section
21 on Sunday, I read the ads, other than that, I really
22 don't bother; the business section.

23 THE COURT: How about TV news?

24 PROSPECTIVE JUROR: TV news while I'm cooking
25 dinner.

1 THE COURT: Do you use the Internet at all?

2 PROSPECTIVE JUROR: Yes, I do.

3 THE COURT: Do you use it at all for news?

4 PROSPECTIVE JUROR: No. No. Facebook,

:15PM

5 e-mail, do my banking on it.

6 THE COURT: Okay. Am I correct from the

7 answer you gave to the question, that you knew

8 something about the prior history of this case but

9 not a lot, is that correct?

:16PM

10 PROSPECTIVE JUROR: I knew what I read in the

11 paper like the day before I was coming here, and

12 that's it. I didn't pay a bit of attention to it

13 last year.

14 THE COURT: You also said you also -- that

:16PM

15 part of what you knew, or read, or heard, or seen

16 was whatever your husband read in the paper.

17 PROSPECTIVE JUROR: Yeah, he reads the paper

18 cover to cover.

19 THE COURT: Right. Now, when he reads the

:16PM

20 paper cover to cover, does he force you to listen to

21 his recounting?

22 PROSPECTIVE JUROR: No.

23 THE COURT: Does he give a lot of recounting

24 or does he just --

:16PM

25 PROSPECTIVE JUROR: No.

1 THE COURT: So sometimes he talks to you
2 about it and sometimes he doesn't?

3 PROSPECTIVE JUROR: Exactly.

4 THE COURT: And you didn't form any opinion
5 based on any of this stuff because you didn't care,
6 is that right?

7 PROSPECTIVE JUROR: No. Basically, yes.

8 THE COURT: And you did request a deferment
9 because of the ability of your daughter?

10 PROSPECTIVE JUROR: That's been taken care
11 of.

12 THE COURT: That's been taken care of?

13 PROSPECTIVE JUROR: Yes.

14 THE COURT: And then you have another thing
15 about a vacation.

16 PROSPECTIVE JUROR: That's in September.

17 THE COURT: Right. Which is unlikely to
18 interfere.

19 PROSPECTIVE JUROR: I just put it down.

20 THE COURT: Thank you.

21 (Prospective juror exited the courtroom, and the
22 following proceedings were had herein:)

23 THE COURT: 182.

24 (Brief pause).

25 (Prospective juror entered the courtroom, and

1 the following proceedings were had herein:)

2 THE COURT: You're 182?

3 PROSPECTIVE JUROR: That's correct, sir.

4 THE COURT: The first question I want to ask
5 you about is that you indicate you have some trouble
6 with hearing and vision, is that true?

7 PROSPECTIVE JUROR: That's correct.

8 THE COURT: And it says here that you have
9 poor eyesight?

10 PROSPECTIVE JUROR: Correct.

11 THE COURT: Now, is that in both eyes or just
12 one eye?

13 PROSPECTIVE JUROR: Left eye.

14 THE COURT: You have decent vision in your
15 right eye?

16 PROSPECTIVE JUROR: Correct.

17 THE COURT: You also indicate that you have
18 some loss of hearing in your right ear, isn't that
19 correct?

20 PROSPECTIVE JUROR: Correct.

21 THE COURT: Can you hear me now?

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: Okay. And you do have some
24 medical needs because of a condition you have, is
25 that correct?

1 PROSPECTIVE JUROR: That's correct, Your
2 Honor.

3 THE COURT: You have a degree in economics?

4 PROSPECTIVE JUROR: That's correct.

:19PM

5 THE COURT: And what do you do at work?

6 PROSPECTIVE JUROR: Doing maintenance work.

7 THE COURT: And you do that at a high school?

8 PROSPECTIVE JUROR: Correct.

9 THE COURT: What does that involve?

:20PM

10 PROSPECTIVE JUROR: Mainly I do the property
11 upkeep.

12 THE COURT: One thing you said is you repair
13 a lot of broken equipment, you do that, too?

14 PROSPECTIVE JUROR: What's that again, sir?

:20PM

15 THE COURT: Repairing broken equipment.

16 PROSPECTIVE JUROR: Correct.

17 THE COURT: And you do volunteer work in
18 church?

19 PROSPECTIVE JUROR: That's correct.

:20PM

20 THE COURT: And you learned how to do your
21 job with on-the-job training, is what happened?

22 PROSPECTIVE JUROR: That's correct, sir.

23 THE COURT: And how long have you done that
24 kind of work?

:20PM

25 PROSPECTIVE JUROR: About 20 -- 20 years.

1 THE COURT: Basically the same kind of work
2 but at different places?

3 PROSPECTIVE JUROR: That is correct.

4 THE COURT: You have a son and a daughter,
5 the youngest is 24, they are both college graduates?

6 PROSPECTIVE JUROR: That's correct, sir.

7 THE COURT: You hired a lawyer once about a
8 car accident?

9 PROSPECTIVE JUROR: Yes.

10 THE COURT: How long ago was that?

11 PROSPECTIVE JUROR: Maybe about 25 or so
12 years ago.

13 THE COURT: Did anything happen? Was there a
14 lawsuit filed?

15 PROSPECTIVE JUROR: No, it was settled.

16 THE COURT: Were you satisfied with the
17 service you got?

18 PROSPECTIVE JUROR: Yes, sir.

19 THE COURT: You served as a juror once in a
20 case?

21 PROSPECTIVE JUROR: Yes, I did.

22 THE COURT: And that was a criminal case?

23 PROSPECTIVE JUROR: Correct.

24 THE COURT: And it was 8 or 9 years ago?

25 PROSPECTIVE JUROR: That's correct.

1 THE COURT: And the jury reached a verdict?

2 PROSPECTIVE JUROR: Yes.

3 THE COURT: Do you belong to any kind of
4 group, organization? Is there someplace you belong,
5 some group you contribute to?

6 PROSPECTIVE JUROR: No, I don't.

7 THE COURT: And what's your relationship with
8 the church in Tinley Park?

9 PROSPECTIVE JUROR: I'm a parishioner in
10 there.

11 THE COURT: And you don't trust most
12 politicians, is that true?

13 PROSPECTIVE JUROR: That's what I said on
14 that.

15 THE COURT: What the jury in this case is
16 going to be asked to decide, it's going to be asked
17 to decide, after they hear evidence in court,
18 they're going to be asked for a decision based only
19 on the evidence in court as to whether the specific
20 individual on trial here, whether the government has
21 proven beyond a reasonable doubt that the
22 accusations are true. So we're not going to be
23 dealing with most politicians or the general state
24 of affairs. We're going to be dealing only with
25 specific allegations against an individual person

1 and whether there is sufficient proof of them, do
2 you understand that?

3 PROSPECTIVE JUROR: Yes, sir.

4 THE COURT: Do you think you'd be able to be
5 a fair juror on that issue?

6 PROSPECTIVE JUROR: I think so.

7 THE COURT: Okay. Hobbies, interests,
8 anything you like to do?

9 PROSPECTIVE JUROR: I put down there I play
10 golf.

11 THE COURT: Right. You also say you read
12 Golf Digest?

13 PROSPECTIVE JUROR: Yes.

14 THE COURT: Where do you get your news from?

15 PROSPECTIVE JUROR: From the radio and
16 television programs.

17 THE COURT: Do you use the Internet to get
18 news?

19 PROSPECTIVE JUROR: No, I don't.

20 THE COURT: Now, you did read or hear
21 something about this case, is that correct?

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: The most important thing for a
24 juror to do is to decide the case on the basis of
25 the evidence in court and to disregard anything they

1 heard or read outside of court, do you think you'd
2 be able to do that?

3 PROSPECTIVE JUROR: I think so.

4 THE COURT: Okay. You did answer one
5 question, I think maybe you checked the wrong box
6 but I want to make sure. It's a question that says:
7 "This case is likely to receive ongoing media
8 attention. The Court will advise you that you
9 must avoid reading about the case in the papers
10 or listening to any radio or television reports
11 about the case or reading anything about the
12 case on the Internet. Will you be able to
13 follow the Court's instructions?

14 You checked "no," but based on the other
15 answers I think you meant yes, is that correct?

16 PROSPECTIVE JUROR: I think so, yes.

17 THE COURT: Yeah, I think so, too.

18 Thank you.

19 (Prospective juror exited the courtroom, and the
20 following proceedings were had herein:)

21 (Brief pause).

22 (Prospective juror entered the courtroom, and
23 the following proceedings were had herein:)

24 THE COURT: Number 183?

25 PROSPECTIVE JUROR: Yes.

1 THE COURT: I'm just going to go over some of
2 the questions. We're not going to do the whole
3 thing all over again.

4 You have a Master's degree?

:27PM

5 PROSPECTIVE JUROR: Yes.

6 THE COURT: What do you do at work.

7 PROSPECTIVE JUROR: I work for social
8 security. I'm a claims representative.

9 THE COURT: And what does that mean?

:27PM

10 PROSPECTIVE JUROR: We don't do the claim for
11 filing for social security retirement, we do make
12 appointments for people. It's the front line of
13 when you come into a social security office.

14 THE COURT: You also do the same stuff over
15 the phone?

:28PM

16 PROSPECTIVE JUROR: Yes.

17 THE COURT: And how long have you done that
18 work?

19 PROSPECTIVE JUROR: 11 years now.

:28PM

20 THE COURT: Did you do anything before that?

21 PROSPECTIVE JUROR: Yes.

22 THE COURT: And what was that?

23 PROSPECTIVE JUROR: I worked for a
24 congressman?

:28PM

25 THE COURT: And which congressman is that?

1 PROSPECTIVE JUROR: John Porter.

2 THE COURT: And how long did you work for
3 him?

4 PROSPECTIVE JUROR: 7 years.

5 THE COURT: And you were staff?

6 PROSPECTIVE JUROR: Staff.

7 THE COURT: Did you work in Chicago or in
8 D.C.?

9 PROSPECTIVE JUROR: It was in Deerfield.

10 THE COURT: Deerfield.

11 PROSPECTIVE JUROR: The Deerfield office,
12 yes.

13 THE COURT: The local office.

14 PROSPECTIVE JUROR: The local office.

15 THE COURT: And before that, did you do
16 anything?

17 PROSPECTIVE JUROR: Little odd jobs, nothing
18 you know -- in fact, I was crafty and doing
19 photography, stuff like that; raising my kids.

20 THE COURT: It says here that you were
21 president of Northfield Township School Trustees.

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: Is that an elected position or
24 are you appointed?

25 PROSPECTIVE JUROR: It is an elected position

1 but it's -- the township trustee layer of government
2 is only in Cook County and it is a way that when
3 school districts have their money and they funnel it
4 through the township trustee and we -- we --
5 actually we sort of write their checks for them. So
6 we make sure that everybody is paid correctly and
7 that different school districts can't fiddle around
8 with their money, it goes through us.

9 THE COURT: Okay. Did you say this was an
10 elected position?

11 PROSPECTIVE JUROR: Yes; every 6 years.

12 THE COURT: Right. Are any of these
13 elections contested?

14 PROSPECTIVE JUROR: No, we have to dig people
15 up to come on our board.

16 THE COURT: Right. So you don't have to go
17 around making speeches, promising peace on earth?

18 PROSPECTIVE JUROR: No; very few people even
19 know what layer that is.

20 THE COURT: Okay. Do you like doing that
21 work?

22 PROSPECTIVE JUROR: Yeah.

23 THE COURT: Do you like doing the work at
24 social security, too?

25 PROSPECTIVE JUROR: Yes, I did.

1 THE COURT: When you applied for the job in
2 social security, between the time of application and
3 the time you were hired, how much time passed?

4 PROSPECTIVE JUROR: I want to say about
5 5 months. When I was working for the congressman, I
6 was one of the people that knew about social
7 security and Medicare, very simple stuff, but I
8 was -- if somebody called and said I need a new
9 Medicare card, I was able to call the local social
10 security office and say so-and-so needs a Medicare
11 card and could you send it to them.

12 THE COURT: Right. Is most of the work in
13 the congressman's office work requested by his
14 constituent service?

15 PROSPECTIVE JUROR: Absolutely.

16 THE COURT: What does your husband do?

17 PROSPECTIVE JUROR: He is an investment
18 adviser. He's self-employed.

19 THE COURT: He was in the Air Force?

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: And you relate that two family
22 members were victims of a crime?

23 PROSPECTIVE JUROR: Yes.

24 THE COURT: When they were very young?

25 PROSPECTIVE JUROR: Yes.

1 THE COURT: And somebody was prosecuted for
2 this?

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: And was convicted?

5 PROSPECTIVE JUROR: Yes.

6 THE COURT: Were you basically satisfied with
7 the process and the results?

8 PROSPECTIVE JUROR: Very much so.

9 THE COURT: And you were actually a school
10 board member, too?

11 PROSPECTIVE JUROR: Yes, I was elected to a
12 school board.

13 THE COURT: That was three elections?

14 PROSPECTIVE JUROR: Huh?

15 THE COURT: That was three elections?

16 PROSPECTIVE JUROR: Yes. The first one was a
17 2-year fill-in and then two 4-year terms.

18 THE COURT: Okay. Now, was that a contested
19 election?

20 PROSPECTIVE JUROR: It never was, but it
21 could have been.

22 THE COURT: None of the three were contested.

23 PROSPECTIVE JUROR: No.

24 THE COURT: And you expressed views on public
25 officials considering their own personal financial

1 interests and the influence of campaign
2 contributions. And we ask those questions because
3 their open-ended, but I want to make sure you
4 understand one thing: If you sit on a jury in this
5 case, you're never going to be asked what your views
6 on political contributions or the motivations of
7 politicians, you're simply going to be asked whether
8 the government has proved beyond a reasonable doubt
9 a specific charge against one specific elected
10 official, do you understand that?

11 PROSPECTIVE JUROR: I understand that, sir.

12 THE COURT: And my concern is -- or my
13 question is is that you will understand that that is
14 the issue you are going to be asked to be decided,
15 not general policy about what elected officials
16 should or should not be doing, do you understand
17 that?

18 PROSPECTIVE JUROR: I'm very clear on that.

19 THE COURT: Hobbies, interests, stuff you
20 like to do?

21 PROSPECTIVE JUROR: I'm a great gardener,
22 right now waiting for the grass to grow.

23 THE COURT: Do you do anything else while you
24 are waiting for the grass to grow?

25 PROSPECTIVE JUROR: I haven't had much time.

1 THE COURT: Okay. Incidentally, what hours
2 do you work? How many hours a week do you work for
3 social security?

4 PROSPECTIVE JUROR: I'm usually at work at
5 7:00 o'clock, the office closes at 5:15. I can
6 leave at 3:30, but I usually stay and work extra
7 because we are so overwhelmed with people coming in.
8 So I'm not home usually before quarter to 6:00.

9 THE COURT: Right. And are you at the
10 Metcalfe building?

11 PROSPECTIVE JUROR: No, we're in Prospect
12 Heights.

13 THE COURT: Okay. Where do you get your news
14 from?

15 PROSPECTIVE JUROR: Well, until a couple of
16 weeks ago, I was reading the newspaper. I don't do
17 that now. We get Time and News week. I'm an avid
18 reader, I like to read books.

19 THE COURT: You don't use the Internet for
20 news?

21 PROSPECTIVE JUROR: Absolutely not. I don't
22 even know how to use the Internet that good.

23 THE COURT: Do you, like, look forward every
24 day to getting the news or is this just something
25 that happens to you? Or put another way, are you a

1 news hound that has the latest information on
2 everything?

3 PROSPECTIVE JUROR: I enjoy reading the
4 newspaper, but I don't -- if I have to go without it
5 for a day or two, you know, because it's wet in the
6 driveway or something, I'm okay. I'm not crazy
7 about it.

8 THE COURT: And you did, in fact, during the
9 early stages of this case, prior stages of this
10 case, you did read something about it or hear
11 something about it, is that correct?

12 PROSPECTIVE JUROR: Yeah.

13 THE COURT: The rule is is that when you
14 decide this case when you're on the jury, you have
15 to consider as evidence only that which you hear in
16 the courtroom. And what we tell jurors is is that
17 we don't expect you to forget what you previously
18 heard or read, pretty hard to do, all we ask is that
19 when you weigh the evidence you put the previous
20 stuff you heard or read off to one side and the only
21 thing you weigh is what you heard in the courtroom
22 and saw in the courtroom, do you understand?

23 PROSPECTIVE JUROR: Absolutely.

24 THE COURT: Would you be able to do that?

25 PROSPECTIVE JUROR: Yes.

1 THE COURT: Now, you did include a note at
2 the end on the practices which you admired of the
3 representative who formerly employed you, which is
4 fine. That you have a positive opinion of the
5 congressman. My question to you is, I want to be
6 sure that if you sit on this jury, the measure which
7 you will apply is not whether the accused here comes
8 up to the standards of your prior elected official
9 who employed you, and, in fact, you won't consider
10 that at all, you will consider only the evidence and
11 whether there's been sufficient proof, would you be
12 able to do that?

13 PROSPECTIVE JUROR: I would, and I've been
14 working on that, mentally, ever since I got the
15 summons.

16 THE COURT: Okay. Thank you.

17 (Prospective juror exited the courtroom, and the
18 following proceedings were had herein:)

19 (Brief pause).

20 (Prospective juror entered the courtroom, and
21 the following proceedings were had herein:)

22 THE COURT: You're number 184?

23 PROSPECTIVE JUROR: Yes.

24 THE COURT: I'm just going to go over some of
25 the things with you, I'm not going to go over the

1 whole questionnaire.

2 what do you do at work?

3 PROSPECTIVE JUROR: My title is Employee
4 Service Representative.

5 THE COURT: Bring the mike a little closer.

6 PROSPECTIVE JUROR: I work for McDonald's
7 Corporation, my title is Employee Service
8 Representative. I communicate with McDonald's
9 employees all over the nation, just giving them
10 information about their benefits and payroll.

11 THE COURT: Is this mostly them calling you?

12 PROSPECTIVE JUROR: Yes.

13 THE COURT: Because some employee wants to
14 know something about the company's policies or what
15 they're entitled to or what benefits they can get,
16 you're the person that answers those questions?

17 PROSPECTIVE JUROR: Correct.

18 THE COURT: And how long have you been doing
19 that?

20 PROSPECTIVE JUROR: 5 years.

21 THE COURT: What jobs, if any, did you have
22 before that?

23 PROSPECTIVE JUROR: I worked for the Chicago
24 Park District as a lifeguard about 7 years, I worked
25 at Starbucks for a couple of years, 3 years maybe,

1 2.

2 THE COURT: Have you ever volunteered, done
3 any kind of that work?

4 PROSPECTIVE JUROR: Not that I can recall.

5 THE COURT: What's the Galter LifeCenter?

6 PROSPECTIVE JUROR: Oh, the Galter
7 LifeCenter, I'm currently also working there. I'm a
8 courtesy desk representative. It's the gym that's
9 associated with the Swedish Covenant Hospital. Just
10 check people in, sign people for their classes.

11 THE COURT: Okay. Who owned the mini mart?
12 You were asked whether you or anyone close to you
13 ever owned a business.

14 PROSPECTIVE JUROR: Mini mart?

15 THE COURT: You said "small business/mini
16 mart."

17 PROSPECTIVE JUROR: I had a roommate in
18 college, his family owned like a little shop that
19 sold, like a mini market.

20 THE COURT: Okay. Somebody hit-and-run your
21 car?

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: A lot of damage, a little damage?

24 PROSPECTIVE JUROR: A little damage.

25 THE COURT: Fairly annoying?

1 PROSPECTIVE JUROR: I'm sorry?

2 THE COURT: Was that fairly annoying to you?

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: You consulted a lawyer for
5 purchasing some property, is that it?

6 PROSPECTIVE JUROR: Correct.

7 THE COURT: Hire a lawyer for any other
8 reason?

9 PROSPECTIVE JUROR: No.

10 THE COURT: Apart from today, have you ever
11 been in a courtroom?

12 PROSPECTIVE JUROR: Only for that hit-and-run
13 accident.

14 THE COURT: Okay. And what happened in court
15 on that case?

16 PROSPECTIVE JUROR: The person who hit my car
17 showed up to the courtroom, they hired an attorney,
18 and the person was a minor who hit my car and just
19 got some community service.

20 THE COURT: You were asked some questions
21 about public officials and their motivations and
22 campaign contributions, and you answered those
23 questions, which is fine. I just want to make sure
24 you understand that if you're a juror on this case,
25 you're not going to be asked to express any views on

1 campaign contributions in general or politicians in
2 general. The only thing you're going to be asked to
3 do is to decide whether the government has proved
4 specific charges against one particular defendant
5 beyond a reasonable doubt, do you understand that's
6 the only thing you're going to be asked to do?

7 PROSPECTIVE JUROR: Understood.

8 THE COURT: Hobbies, interests, stuff you
9 like to do?

10 PROSPECTIVE JUROR: Sports, watching and
11 playing.

12 THE COURT: Where do you get your news from?

13 PROSPECTIVE JUROR: Newspaper, Internet,
14 applications on my phone, so

15 THE COURT: What kind of news are you most
16 interested in?

17 PROSPECTIVE JUROR: The crime on the north
18 side of Chicago.

19 THE COURT: Okay. What else?

20 PROSPECTIVE JUROR: Then sports, what's going
21 on around my neighborhood, that's pretty much it,
22 that's what I focus on.

23 THE COURT: What kind of websites -- are
24 there any particular news websites that you visit?

25 PROSPECTIVE JUROR: CNN, MSNBC and WGN TV.

1 THE COURT: Would you give me an estimate, if
2 you could, on an average day how many hours you
3 spend dealing with the news?

4 PROSPECTIVE JUROR: I would say between 15
5 and 30 minutes.

6 THE COURT: Okay. Do you believe you can be
7 a fair juror in this case and consider only the
8 evidence in court, not anything you heard about or
9 remember in the past, do you think you can do that?

10 PROSPECTIVE JUROR: Yes.

11 THE COURT: Thank you.

12 (Prospective juror exited the courtroom, and the
13 following proceedings were had herein:)

14 (Brief pause).

15 THE COURT: We're going to take 15 minutes
16 recess.

17 (Recess.)

18 (The following proceedings were had in open
19 court:)

20 THE COURT: All right, 185.

21 (Prospective juror entered the courtroom, and
22 the following proceedings were had herein:)

23 THE COURT: 185.

24 PROSPECTIVE JUROR: Yes.

25 THE COURT: I'm going to ask you about some

1 of the things that are in the questionnaire. We're
2 not going to cover every subject.

3 PROSPECTIVE JUROR: Okay.

4 THE COURT: You list one condition, medical
5 condition, that might make it difficult for you to
6 serve as a juror on this case. Why do you think it
7 might be a difficulty?

8 PROSPECTIVE JUROR: Just recent diagnosis and
9 just adjusting to it, so --

10 THE COURT: Would you pick up the mike.

11 PROSPECTIVE JUROR: I'm sorry. It's been
12 diagnosed recently within a year and it's just
13 something I've been adjusting with the medications
14 and what not. So, honestly, I don't foresee it
15 being a problem, but I'm just taking it day by day,
16 week by week.

17 THE COURT: So you don't perceive it as a
18 current problem but you're concerned it might become
19 a problem?

20 PROSPECTIVE JUROR: No, just it's still new
21 to me, sir. So they asked if there's anything that
22 I foresee, that could be foreseeable.

23 THE COURT: Right. But it's not a current
24 issue?

25 PROSPECTIVE JUROR: Not at the moment.

1 THE COURT: Okay. Is this the kind of thing
2 where they're adjusting your medication now?

3 PROSPECTIVE JUROR: Yeah. Yes, sir.

4 THE COURT: You have a BFA?

5 PROSPECTIVE JUROR: Yes, sir.

6 THE COURT: You also have a BS?

7 PROSPECTIVE JUROR: Yes, sir.

8 THE COURT: And you're a teacher and your
9 current employment has been for 13 years?

10 PROSPECTIVE JUROR: That's correct, sir.

11 THE COURT: And the grades you teach?

12 PROSPECTIVE JUROR: I kindergarten through
13 6th.

14 THE COURT: And you have a bunch of hobbies
15 and skills, all of which involve using your hands?

16 PROSPECTIVE JUROR: Yes, sir.

17 THE COURT: Did you have a job before your
18 present one?

19 PROSPECTIVE JUROR: Yes, sir.

20 THE COURT: And what was that?

21 PROSPECTIVE JUROR: I was a jeweler on sales
22 and design.

23 THE COURT: How long did you do that?

24 PROSPECTIVE JUROR: About 7 years, sir.

25 THE COURT: Did this include all jewelry or

1 where you a specialist in something?

2 PROSPECTIVE JUROR: It was all.

3 THE COURT: If it was called jewelry it was
4 in your field?

5 PROSPECTIVE JUROR: Pardon me?

6 THE COURT: If it was called jewelry, it's
7 something you could deal with?

8 PROSPECTIVE JUROR: Yes.

9 THE COURT: Okay. And you were a victim of a
10 crime?

11 PROSPECTIVE JUROR: Yes, sir.

12 THE COURT: And this was a robbery and a
13 physical assault?

14 PROSPECTIVE JUROR: Yes, sir.

15 THE COURT: Anybody ever caught for that?

16 PROSPECTIVE JUROR: No, sir.

17 THE COURT: How long ago was that?

18 PROSPECTIVE JUROR: It was about 4 years ago,
19 I'd say.

20 THE COURT: Would it affect your ability to
21 be a juror in this case?

22 PROSPECTIVE JUROR: No, sir.

23 THE COURT: You consulted a lawyer once for
24 medical malpractice?

25 PROSPECTIVE JUROR: Yes, sir.

1 THE COURT: How long ago was that?

2 PROSPECTIVE JUROR: This past year, sir.

3 THE COURT: Where?

4 PROSPECTIVE JUROR: This past year.

:19PM

5 THE COURT: Past year?

6 PROSPECTIVE JUROR: Yes.

7 THE COURT: Was a lawsuit filed?

8 PROSPECTIVE JUROR: No, sir.

:19PM

9 THE COURT: Did you get any kind of remedy at
10 all for that?

11 PROSPECTIVE JUROR: No, sir.

12 THE COURT: Were you satisfied with the
13 services of a lawyer even though they were not
14 successful?

:19PM

15 PROSPECTIVE JUROR: Yes, sir.

16 THE COURT: Hobbies, interests, stuff you
17 like to do when you're not working?

18 PROSPECTIVE JUROR: I've several varied, sir.
19 Mostly --

:20PM

20 THE COURT: I'm having trouble hearing you.

21 PROSPECTIVE JUROR: I'm sorry, sir.

22 Generally, most of my hobbies pertain hanging around
23 with friends and various activities with them, so
24 softball during summer.

:20PM

25 THE COURT: One thing you teach is art?

1 PROSPECTIVE JUROR: Yes, sir.

2 THE COURT: What does that mean?

3 PROSPECTIVE JUROR: Well, at the
4 case-specific level, I service two schools. Usually
5 it's dealing with manipulatives, teaching the
6 fundamentals of arts, principles, elements,
7 handwrite coordination, motor skills with small
8 children.

9 THE COURT: Is this drawing, painting, things
10 of this sort?

11 PROSPECTIVE JUROR: All sorts of all
12 material, yes, sir.

13 THE COURT: Sculpting clay, that kind of the
14 stuff?

15 PROSPECTIVE JUROR: Yes, sir.

16 THE COURT: Spend a lot of time in the
17 theater?

18 PROSPECTIVE JUROR: When I can and money
19 permits.

20 THE COURT: Most important source of news for
21 you, you indicated television.

22 PROSPECTIVE JUROR: Yes, sir.

23 THE COURT: You see a lot of news?

24 PROSPECTIVE JUROR: Yes and no. Sometimes I
25 watch it. So I'd say your average amount the

1 average person does. I watch the nightly news.

2 THE COURT: The basic question I'm asking is,
3 there are some people in the world who love the
4 24-hour news cycle --

5 PROSPECTIVE JUROR: I'm not one of those.

6 THE COURT: -- and they don't want to miss
7 any part of it. You're not one?

8 PROSPECTIVE JUROR: I'm not one of those.

9 THE COURT: You saw some coverage of prior
10 proceedings in this case.

11 PROSPECTIVE JUROR: Yes, sir.

12 THE COURT: Is it fair to say, based on the
13 answer that you gave, that you do not have a high
14 opinion of the defendant in this case?

15 PROSPECTIVE JUROR: Yes, sir.

16 THE COURT: And you also answered another
17 question that's not quite the same thing, but I
18 actually think it's a continuation of your answer to
19 an earlier question. You expressed your negative
20 view of the defendant and then there's another
21 answer here that says most of your friends and
22 family feel the same way. Do those two sentences go
23 together?

24 PROSPECTIVE JUROR: Yes.

25 THE COURT: When you sit on a case like this,

1 there's no part of the verdict form that says you
2 find the defendant is distasteful or bad or whatever
3 adjective you want to use. The verdict form just
4 asks you if the defendant has been proved guilty
5 beyond a reasonable doubt and if the answer to that
6 one is no, there's a verdict form that says not
7 guilty. There is sometimes difficulty in separating
8 your own personal opinion of the defendant with the
9 question of whether guilt has been proved. My
10 question to you is, you understand you're not
11 judging, in general, the character of the defendant
12 --

13 PROSPECTIVE JUROR: Yes, I do, sir.

14 THE COURT: -- nor the quality of his
15 actions --

16 PROSPECTIVE JUROR: That's correct, sir.

17 THE COURT: -- you are just called on to
18 judge whether there's been proof beyond a reasonable
19 doubt that the charges have been proved, do you
20 understand that?

21 PROSPECTIVE JUROR: Correct. Yes.

22 THE COURT: Now, could you, in fact, keep out
23 whatever relatively row opinion you have of the
24 defendant in reaching your verdict?

25 PROSPECTIVE JUROR: I believe I could, sir.

1 THE COURT: When you teach students, and
2 particularly when you do this teaching in art, which
3 I take it from your description of it that you do
4 not have a regular class of students who you are in
5 charge of, you are the art education teacher and you
6 teach a large number of students in different
7 classrooms and in different, in your case, maybe
8 different school buildings, is that right?

9 PROSPECTIVE JUROR: That's correct, sir;
10 approximately 700.

11 THE COURT: Do you wind up grading them in
12 any way?

13 PROSPECTIVE JUROR: I grade all of them.

14 THE COURT: Okay. And what are they graded
15 on? My question is, are we dealing with somebody
16 who does really well because they have an inherent
17 ability or somebody who doesn't do very well --

18 PROSPECTIVE JUROR: It's a combination of
19 rubric based upon an objective goal and also effort
20 put in. So the majority of the grade is based upon
21 a rubric of objective goals which is to be met and
22 then consideration of effort and students abilities
23 are also taken into consideration.

24 THE COURT: So you can get a decent grade
25 even if you can't tell the difference between a

1 square and a rectangle?

2 PROSPECTIVE JUROR: If it's that severe, sir,
3 no, you can't get a decent grade but

4 THE COURT: Thank you.

5 PROSPECTIVE JUROR: Thank you.

6 (Brief pause).

7 (Prospective juror exited the courtroom, and the
8 following proceedings were had herein:)

9 (Brief pause).

10 (Prospective juror entered the courtroom, and
11 the following proceedings were had herein:)

12 THE COURT: You're number 186?

13 PROSPECTIVE JUROR: Yes, Your Honor.

14 THE COURT: You don't have to stand up.

15 PROSPECTIVE JUROR: Thank you.

16 THE COURT: What do you do for a living?

17 PROSPECTIVE JUROR: I am --

18 THE COURT: Just raise the microphone.

19 PROSPECTIVE JUROR: I am a real estate agent,
20 but because right now it's kind of slow, I slow down
21 myself too, but also I'm a city worker because I
22 work for the water department, an MTD.

23 THE COURT: So you are an employee of the
24 city's water department?

25 PROSPECTIVE JUROR: Correct, sir.

:25PM

:26PM

:27PM

:27PM

1 THE COURT: And how long have you been there?

2 PROSPECTIVE JUROR: About 23 years, something
3 like that.

4 THE COURT: What do you do at work?

5 PROSPECTIVE JUROR: We do different
6 construction prior to fixing water leaks around the
7 City of Chicago. I am MTD, I mean motor truck
8 driver driving different kind of equipment, power
9 equipment and transportation equipment.

10 THE COURT: What kinds of equipment? What
11 kinds of trucks and vehicles do you --

12 PROSPECTIVE JUROR: We got the compressor
13 trucks, we got pumps transaction, we have
14 semitrailers, we got dump trucks, we got leak
15 trucks, we got investigators trucks, all kinds.

16 THE COURT: And you drive them all?

17 PROSPECTIVE JUROR: I drive them all, yeah.

18 THE COURT: Do you have any other jobs? Do
19 you work on anything else?

20 PROSPECTIVE JUROR: Yeah, real estate, but
21 for this year I don't practice at all because the
22 economy is not what --

23 THE COURT: And what kind of real estate do
24 you deal with when you do that?

25 PROSPECTIVE JUROR: Community residential,

1 sometimes commercial.

2 THE COURT: Okay. And your wife is a special
3 education teacher's aide?

4 PROSPECTIVE JUROR: Correct, Your Honor.

5 THE COURT: You have three children and the
6 youngest is 22?

7 PROSPECTIVE JUROR: Correct, Your Honor.

8 THE COURT: Your son does some work for
9 Streets and Sanitation.

10 PROSPECTIVE JUROR: Correct, he's part-time,
11 he's working the winter with the salt removal.

12 THE COURT: And that's the youngest son?

13 PROSPECTIVE JUROR: This is the middle.

14 THE COURT: The middle son?

15 PROSPECTIVE JUROR: Yes.

16 THE COURT: And you have another son -- do
17 you have a son who is a police officer or applied to
18 be a police officer?

19 PROSPECTIVE JUROR: Yes, my middle son, he's
20 in Iraq, Afghanistan veteran from the Air Force and
21 he applied to the City of Chicago to be law
22 enforcement but he is waiting.

23 THE COURT: But he hasn't heard yet?

24 PROSPECTIVE JUROR: Not yet, but he took the
25 test.

1 THE COURT: And what branch of the service is
2 he in?

3 PROSPECTIVE JUROR: I'm sorry?

4 THE COURT: What branch of the service is he
5 in?

6 PROSPECTIVE JUROR: The Air Force. His base
7 was in California.

8 THE COURT: And you may have been arrested
9 but no charges?

10 PROSPECTIVE JUROR: No charges at all. I was
11 drinking in a bar we had problems there.

12 THE COURT: Do you have any hobbies, any
13 activities you like to do when you're not working?

14 PROSPECTIVE JUROR: Real estate was my
15 activity after work, after my city job I used to do
16 real estate most of the time, and I like to read
17 books, sometimes I do exercises, stuff like that.

18 THE COURT: Where do you get your news from?

19 PROSPECTIVE JUROR: Just all over, but I
20 never pay attention. Most of the papers, you know.
21 In our job we have access to the paper every day,
22 but I just read the weather, is it going to rain
23 tonight or not, and the editorial, but nothing else.
24 I never -- you know, I'm not a fanatic of the news
25 media.

1 THE COURT: Okay. Do you use the Internet at
2 all?

3 PROSPECTIVE JUROR: Only for my work, but
4 that's my job when I used to do real estate, to do
5 the business Internet, because we have internet
6 access to get information, but not to get into all
7 that stuff.

8 THE COURT: Do you remember anything about
9 this case, reading about it a little or a lot?

10 PROSPECTIVE JUROR: Yeah, of course. It was
11 all over the news last year, but I never follow up,
12 to be honest with you, to be interesting. Now, this
13 is the first time I'm interested because, you know,
14 that's why I'm here. But before, I always was
15 impartial, I never make my own judgment, I always
16 hear what they say sometimes, I never pay -- I never
17 follow up.

18 THE COURT: Okay. Do you understand that if
19 you remember things that people told you and you
20 read things in the papers, do you understand that
21 you can't use that, any of that in reaching a
22 decision in this case if you're on a jury?

23 PROSPECTIVE JUROR: I'm clear, Your Honor,
24 because that's why I say, I never watch, I never --
25 I never was a fanatic of the news. I never follow

1 up.

2 THE COURT: Right. But what you have to do
3 is decide this case just on the basis of the
4 evidence in court, you can't consider anything you
5 heard outside the courtroom, do you understand that?

6 PROSPECTIVE JUROR: I understand completely,
7 Your Honor.

8 THE COURT: And would you follow that rule?

9 PROSPECTIVE JUROR: I would follow that rule
10 if you choose me.

11 THE COURT: Now, when did you start doing the
12 real estate?

13 PROSPECTIVE JUROR: I'm sorry?

14 THE COURT: When did you start doing the real
15 estate?

16 PROSPECTIVE JUROR: About 2000, 2001.

17 THE COURT: And you wanted to do that to
18 supplement your income that you got from the city?

19 PROSPECTIVE JUROR: Correct. Yes, because my
20 kids, they went to private schools, and I help them
21 with their tuitions. My middle kid before he going
22 to the Air Force surprised me because he was in
23 Loyola University and one day he said he already
24 signed, he got to serve his country, and I respected
25 his decision. But that's why I'm working real

1 estate.

2 THE COURT: Did you have to study to get your
3 license for that?

4 PROSPECTIVE JUROR: Yes, I went to school.

5 THE COURT: And you passed the examine?

6 PROSPECTIVE JUROR: Yes, I did.

7 THE COURT: Thank you.

8 PROSPECTIVE JUROR: You're welcome, Your
9 Honor.

10 (Prospective juror exited the courtroom, and the
11 following proceedings were had herein:)

12 (Brief pause).

13 (Prospective juror entered the courtroom, and
14 the following proceedings were had herein:)

15 THE COURT: You're 187?

16 PROSPECTIVE JUROR: That's correct, Your
17 Honor.

18 THE COURT: Do you recognize me?

19 PROSPECTIVE JUROR: Yes, Your Honor.

20 THE COURT: And I recognize you.

21 what do you do for a living?

22 PROSPECTIVE JUROR: I'm a United States
23 probation officer.

24 THE COURT: Do you sometimes work in this
25 building?

1 PROSPECTIVE JUROR: Yes, Your Honor.

2 THE COURT: Do you appear in court?

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: And you have post-graduate degree
5 in criminal justice, is that true?

6 PROSPECTIVE JUROR: That's correct.

7 THE COURT: And how long have you been
8 employed by the Probation Office in this district?

9 PROSPECTIVE JUROR: In this district,
10 approximately 5 years.

11 THE COURT: And like some but not all
12 probation officers, you do have at least one
13 specialty, is that correct?

14 PROSPECTIVE JUROR: That's correct.

15 THE COURT: And what specialty is that?

16 PROSPECTIVE JUROR: I'm a Mental Health
17 Treatment Specialist and I'm also a firearms
18 instructor.

19 THE COURT: How long have you been a Mental
20 Health Treatment Specialist?

21 PROSPECTIVE JUROR: For less than a year, for
22 about 8 months.

23 THE COURT: And how long have you been a
24 firearms instructor?

25 PROSPECTIVE JUROR: For approximately 2 and a

1 half years, 3 years.

2 THE COURT: What did your father do?

3 PROSPECTIVE JUROR: He is a retired Air Force
4 general.

5 THE COURT: How long ago did he retire?

6 PROSPECTIVE JUROR: I would say between 5 and
7 6 years ago.

8 THE COURT: Did you have a job before you
9 became a probation officer?

10 PROSPECTIVE JUROR: Yes, Your Honor.

11 THE COURT: And what was that job?

12 PROSPECTIVE JUROR: Before I was a federal
13 probation officer I worked in the state of
14 Washington as a probation officer. I've been doing
15 this like approximately 19 years, prior to that I
16 think I worked for United Parcel Service.

17 THE COURT: What did you do for UPS?

18 PROSPECTIVE JUROR: I worked both in the
19 early mornings, that's what they call preloading, as
20 well as the evening shifts. I think I was in
21 college at the time.

22 THE COURT: A long time ago your house was
23 burglarized?

24 PROSPECTIVE JUROR: Yes.

25 THE COURT: Was anybody caught for that?

1 PROSPECTIVE JUROR: I don't believe so.

2 THE COURT: It says has a family member or
3 close friend ever been a victim of a crime, the
4 answer is "yes, identity theft," what relationship
5 or a friend?

6 PROSPECTIVE JUROR: Significant other.

7 THE COURT: Okay. Was anyone charged in
8 connection with that crime?

9 PROSPECTIVE JUROR: Someone was charged with
10 a lesser offense and do not believe anything came to
11 fruition from that defense.

12 THE COURT: And there was a lawsuit involving
13 a motor vehicle accident?

14 PROSPECTIVE JUROR: Yes.

15 THE COURT: Which side were you on, plaintiff
16 or defendant?

17 PROSPECTIVE JUROR: I think I was the one
18 sued. So I was the defendant.

19 THE COURT: And the case was settled?

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: Were you reasonably satisfied
22 with the settlement?

23 PROSPECTIVE JUROR: I don't know of the
24 details of that. It was involving my insurance
25 agent.

1 THE COURT: So you really don't know what
2 happened?

3 PROSPECTIVE JUROR: I don't know what
4 happened, no.

:39PM

5 THE COURT: You hired or consulted a lawyer
6 on two separate occasions, is that correct?

7 PROSPECTIVE JUROR: That's correct.

8 THE COURT: Were you satisfied with the
9 results?

:40PM

10 PROSPECTIVE JUROR: Yes.

11 THE COURT: The only time you can recall, and
12 you're not absolutely sure, that you wrote to an
13 elected appointed government official, it was in the
14 state of Washington, involving adding safety
15 equipment for state probation officers?

:41PM

16 PROSPECTIVE JUROR: That's correct.

17 THE COURT: Now, was that something you did
18 on your own or was that part of a group effort?

19 PROSPECTIVE JUROR: That was something I did
20 on my own.

:41PM

21 THE COURT: Did you succeed?

22 PROSPECTIVE JUROR: I believe they have
23 changed some of their safety equipment since I left
24 that agency, but don't believe necessarily that was
25 an impact from my suggestion.

:41PM

1 THE COURT: Right. Belong to groups,
2 organizations, anything of that sort?

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: What?

5 PROSPECTIVE JUROR: Federal Law Enforcement
6 officers Association.

7 THE COURT: You have never contributed money
8 or done work for a candidate for political office,
9 is that correct?

10 PROSPECTIVE JUROR: That's correct.

11 THE COURT: I think, based on what I've read
12 here, your answers to questions, that there are not
13 too many elected officials or too many politicians
14 about whom you have strongly favorable opinions, is
15 that correct?

16 PROSPECTIVE JUROR: Strongly favorable?

17 THE COURT: Yeah. There are not many of
18 those, right?

19 PROSPECTIVE JUROR: I mean, do I like certain
20 politicians? Yes. I don't --

21 THE COURT: No, no, the question is, as a
22 general rule, do you have a high opinion of
23 politicians.

24 PROSPECTIVE JUROR: As a general rule, I
25 don't have a negative opinion, but overly favorable,

1 not necessarily.

2 THE COURT: The thing a juror would have to
3 do in this case is not consider opinions about
4 politicians in general, or, for that matter, even
5 opinions about the particular elected official we
6 are dealing with here. The question is simply
7 whether the government proved beyond a reasonable
8 doubt a specific offense as alleged or did not do
9 that. My question is, can you separate whatever
10 general views you have about politicians and
11 politics and reach a conclusion solely based on the
12 evidence with respect to the proof of the charges
13 made here, can you do that?

14 PROSPECTIVE JUROR: Yes.

15 THE COURT: What do you do when you're not
16 working? What's fun?

17 PROSPECTIVE JUROR: I like to work out, I
18 like to walk along the lake, walk my dog, when the
19 weather is nice play golf, tennis, spend time with
20 my family, cook.

21 THE COURT: Is one of them higher on the list
22 than the other? What do you do most of?

23 PROSPECTIVE JUROR: Well, unfortunately, I
24 probably do most of house projects and things like
25 that, but what I would enjoy most is probably

1 cooking or taking a run along the lake, that kind of
2 thing.

3 THE COURT: What about newspapers or news in
4 general, where do you get it?

5 PROSPECTIVE JUROR: I don't typically buy a
6 newspaper. I do watch television on occasion, I do
7 pick up the Red Eye once in a while and I sometimes
8 listen to the radio.

9 THE COURT: Do you use the web, the Internet
10 at all to get news?

11 PROSPECTIVE JUROR: Very rarely.

12 THE COURT: You listen to radio. What kind
13 of radio do you listen to?

14 PROSPECTIVE JUROR: I listen to --

15 THE COURT: Music or talk?

16 PROSPECTIVE JUROR: I listen to a little bit
17 of both.

18 THE COURT: Okay. And how much of this case
19 did you follow, if any?

20 PROSPECTIVE JUROR: Just generalities, what I
21 hear maybe on headline news, but never specifically
22 reading articles and things like that to get
23 specific details.

24 THE COURT: Do you recognize any of the
25 specific Assistant United States Attorneys in this

1 case as people who you work with?

2 PROSPECTIVE JUROR: I may have more than
3 likely worked with them in my occupation, I don't
4 specifically remember personal relationship with
5 them or what particular case. I just indicated that
6 more than likely I probably do know someone from the
7 government based on my job.

8 THE COURT: Okay. Let's assume you're on the
9 jury in this case and you don't remember anything
10 about any particular Assistant U.S. Attorney. You
11 recognize the possibility that you may have worked
12 with one or two of them, but you work with a lot of
13 them and you have no specific memory, and something
14 jars your memory during the course of the trial and
15 you remember that one of these Assistant United
16 States Attorney worked with you on a case and you
17 greatly admired their work, you thought they were
18 absolutely brilliant and extremely helpful to you,
19 saved you from dozens of possible guideline errors
20 that you might have made and you feel this
21 overwhelming sense of gratitude towards them. My
22 question to you is, would anything like that affect
23 your ability to judge this case on the basis of the
24 evidence alone as opposed to some possible
25 professional relationship you might have had with

1 the assistant in question?

2 PROSPECTIVE JUROR: No, it would not impact
3 that.

4 THE COURT: And it is possibly, actually,
5 that perhaps you might recognize one of the defense
6 counsel --

7 PROSPECTIVE JUROR: Yes.

8 THE COURT: -- and you may very well have
9 thought well of them. would your personal opinion
10 of the quality of the lawyer affect your ability to
11 be fair and impartial in judging the evidence?

12 PROSPECTIVE JUROR: No.

13 THE COURT: Thank you.

14 (Prospective juror exited the courtroom, and the
15 following proceedings were had herein:)

16 (Brief pause).

17 THE COURT: 189 is next. 188 did not appear.
18 (Brief pause).

19 (Prospective juror entered the courtroom, and
20 the following proceedings were had herein:)

21 THE COURT: You're number 189?

22 PROSPECTIVE JUROR: Yes, sir.

23 THE COURT: Just moved to a new neighborhood?

24 PROSPECTIVE JUROR: Yes, about a month ago.

25 THE COURT: You have undergraduate degrees in

1 psychology and neuroscience and you went to medical
2 school?

3 PROSPECTIVE JUROR: Yes, sir.

4 THE COURT: You are currently board certified
5 in family medicine?

6 PROSPECTIVE JUROR: Yes.

7 THE COURT: And you are board eligible for
8 sports medicine?

9 PROSPECTIVE JUROR: Yes.

10 THE COURT: And you moved recently because
11 you changed hospitals?

12 PROSPECTIVE JUROR: I completed my training
13 and my wife and I moved to the suburbs, yeah.

14 THE COURT: Basically, what do you do in your
15 current position?

16 PROSPECTIVE JUROR: I'm faculty at a family
17 medicine residency. So I see patients three half
18 days a week and the remainder of the time I'm
19 teaching residents and then I also have a sports
20 medicine fellow that I teach. So I do some didactic
21 and then some -- so I do some lectures and I also do
22 one-on-one teaching.

23 THE COURT: It says here that you have
24 partial supervision of 36 residents?

25 PROSPECTIVE JUROR: Yeah, there's 36

1 residents in the program and I oversee them during
2 their clinic or in the hospital during the time.

3 THE COURT: And you're the direct supervisor
4 of one person on a fellowship?

5 PROSPECTIVE JUROR: Correct.

6 THE COURT: Where have you been in terms of
7 hospitals prior to the time that you took your
8 current job?

9 PROSPECTIVE JUROR: I began my training at
10 Illinois Masonic Hospital in Lakeview and Lutheran
11 General in Park Ridge and I'm currently at McNeal
12 Hospital in Berwyn.

13 THE COURT: What does your wife do?

14 PROSPECTIVE JUROR: She's a physician as
15 well. She's at Loyola.

16 THE COURT: And her field?

17 PROSPECTIVE JUROR: Physical medicine and
18 rehabilitation, similar to what they do at RIC.

19 THE COURT: Okay. And you have one child?

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: You were a public safety officer?

22 PROSPECTIVE JUROR: Yes, in college.

23 THE COURT: And where was that?

24 PROSPECTIVE JUROR: That was in Oxford, Ohio.

25 THE COURT: And who did you work for?

1 PROSPECTIVE JUROR: I worked for the police
2 department in the Department of Public Safety.

3 THE COURT: And what do the public safety
4 officers do?

5 PROSPECTIVE JUROR: Mostly I wrote parking
6 tickets, I also did traffic direction for funerals
7 or a couple of other things like that, parades.

8 THE COURT: And why were you in that town,
9 Oxford, Ohio?

10 PROSPECTIVE JUROR: I was there for
11 undergraduate, that was where I did my college.

12 THE COURT: And I noticed here you were an
13 editorial columnist for the student newspaper.

14 PROSPECTIVE JUROR: Yeah, I had an editorial
15 column.

16 THE COURT: And what did you write editorials
17 about?

18 PROSPECTIVE JUROR: The fact that I
19 procrastinate, I wrote one about students being
20 irresponsible with their drinking; it was just
21 general things that concern a 20-year old, nothing
22 political.

23 THE COURT: Right. Have you actually found
24 out what the policy of the hospital is toward jury
25 service and compensation?

1 PROSPECTIVE JUROR: Yes, I'm paid for the
2 duration.

3 THE COURT: Okay. The only time you hired a
4 lawyer was for real estate transaction?

5 PROSPECTIVE JUROR: Yes.

6 THE COURT: Groups, organizations, clubs, do
7 you belong to anything?

8 PROSPECTIVE JUROR: Just professional
9 societies.

10 THE COURT: And your lobbying, you put quotes
11 around a word. Your lobbying experience was
12 visiting congressmen and senators presumably issues
13 having to do with medical malpractice, is that
14 correct?

15 PROSPECTIVE JUROR: Yeah, that was my Ohio
16 representatives during medical school regarding
17 medical malpractice.

18 THE COURT: And you indicated with respect to
19 good practices with elected officials making
20 official decisions, campaign contributions, personal
21 interests, you believed that some but not all go off
22 the rails a little, is that correct?

23 PROSPECTIVE JUROR: Yeah, I think there are a
24 lot of temptations when you have a lot of
25 opportunities, but I tend to hope and believe that

1 most people don't succumb to those.

2 THE COURT: And, basically, what we will ask
3 you to do if you're on this jury is to make a
4 decision actually not about these general issues,
5 but whether, in fact, a specific defendant violated
6 certain specific statutes and whether that's been
7 proved by the government, that's what we ask you to
8 do, do you understand that?

9 PROSPECTIVE JUROR: Yes, I do.

10 THE COURT: What are your hobbies, your
11 interests?

12 PROSPECTIVE JUROR: I like music a lot,
13 listening, as well as I play the guitar, I read
14 quite a bit, and I enjoy watching TV.

15 THE COURT: How about the news, where do you
16 get it and much of it do you get?

17 PROSPECTIVE JUROR: I usually kind of catch
18 it in between things, so I use cnn.com, I kind of
19 basically check the headlines and then read further
20 if it interests me.

21 THE COURT: Would it be fair to say much
22 of interest in the news is sports related?

23 PROSPECTIVE JUROR: Much of it, yeah.

24 THE COURT: And you did know something about
25 the prior history of this case?

1 PROSPECTIVE JUROR: Yes. Yeah, I remember
2 that there were 20-some odd charges and that he was
3 found guilty on one.

4 THE COURT: Your reference is is that you
5 followed it peripherally, largely because you were
6 in a fellowship at the time and you had a newborn,
7 is that what basically happened?

8 PROSPECTIVE JUROR: Yeah, the news was on in
9 the background.

10 THE COURT: which leads me to my next
11 question. The rule is that you decide this case on
12 the basis of the evidence you hear in the courtroom
13 and not anything else. It's possible when you hear
14 some of the evidence in the court you will remember
15 something from news reports that was playing in the
16 background a long time ago. The rule is is that if
17 you do remember something you heard and you have to
18 weigh the evidence, what you do is you disregard
19 what you've heard or you read, you put it off the
20 scales, we don't ask you to forget it, and you put
21 on the scales that will lead to a decision only the
22 evidence that came into the courtroom, do you
23 understand that that's the rule?

24 PROSPECTIVE JUROR: Yeah.

25 THE COURT: would you have any difficulty

1 following the rule?

2 PROSPECTIVE JUROR: No.

3 THE COURT: Would you follow the rule?

4 PROSPECTIVE JUROR: Yes.

5 THE COURT: Thank you.

6 (Prospective juror exited the courtroom, and the
7 following proceedings were had herein:)

8 (Brief pause).

9 (Prospective juror entered the courtroom, and
10 the following proceedings were had herein:)

11 THE COURT: You're number 190?

12 PROSPECTIVE JUROR: Yes, sir.

13 THE COURT: You have a college degree in
14 accounting?

15 PROSPECTIVE JUROR: Yes, I do.

16 THE COURT: What do you do at work?

17 PROSPECTIVE JUROR: I am IT business
18 relationship manager. I am a liaison between our
19 corporate finance department and our IT department.

20 THE COURT: And how long have you been doing
21 that?

22 PROSPECTIVE JUROR: Well, I worked for that
23 company for almost 5 years doing that. I've been in
24 IT for my whole career, which is 17 years now.

25 THE COURT: And what sort of things do you

1 actually today do day to day at work?

2 PROSPECTIVE JUROR: Ah, I -- I don't know how
3 to explain it. I manage the IT portfolio for our
4 corporate finance department so when they want some
5 related projects done, then I work with them to get
6 the requirements and find out it is they need to do,
7 help them strategize to see how IT can help them,
8 and I work with out IT department to get it done,
9 basically.

10 THE COURT: Now, do you find yourself popular
11 with both sides, IT and finance?

12 PROSPECTIVE JUROR: Truthfully, I'm not very
13 popular with finance.

14 THE COURT: Right.

15 PROSPECTIVE JUROR: Because IT doesn't give
16 them everything they want.

17 THE COURT: Previous employment?

18 PROSPECTIVE JUROR: I worked for JPMorgan.
19 Actually, it was originally First Chicago, that
20 became Bank One, that became JPMorgan, I worked
21 there for 12 years.

22 THE COURT: What's the music thing?

23 PROSPECTIVE JUROR: The music?

24 THE COURT: You and music.

25 PROSPECTIVE JUROR: I sing in my -- well, I

1 used to sing in church choir. I like to sing, I
2 play piano, I play flute, so my hobby is music.

3 THE COURT: Are you married?

4 PROSPECTIVE JUROR: I am married.

5 THE COURT: What does your spouse do?

6 PROSPECTIVE JUROR: Right now he works part
7 time as a loan officer doing small business lending
8 for a non-profit community bank.

9 THE COURT: You have two children?

10 PROSPECTIVE JUROR: Yes, I do.

11 THE COURT: A boy nine and a girl six?

12 PROSPECTIVE JUROR: Yes.

13 THE COURT: And your mother baby-sits your
14 children?

15 PROSPECTIVE JUROR: No, she -- unfortunately,
16 she lives about 3 hours away, so she baby sits other
17 people's children.

18 THE COURT: Okay. So I read the answer
19 wrong, it says your mother baby sits children.

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: Not yours.

22 PROSPECTIVE JUROR: Right.

23 THE COURT: Okay. You hired a lawyer for
24 house closing?

25 PROSPECTIVE JUROR: Yeah; the typical.

1 THE COURT: The only time you dealt with the
2 police is reports on fender benders?

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: What do you belong to other than
5 professional societies?

6 PROSPECTIVE JUROR: Right now I personally
7 don't belong to anything. My husband sits on our
8 church religious education advisory board, but I
9 don't really belong to anything right now.

10 THE COURT: You indicate that before you were
11 married, your husband did some minor volunteer work
12 for the defendant in this case, for the campaign?

13 PROSPECTIVE JUROR: Yes, he did.

14 THE COURT: Do you remember what kind of work
15 he did?

16 PROSPECTIVE JUROR: Honestly, this only come
17 up once, I think, when the governor was running for
18 governor, and he mentioned, oh, by the way, did I
19 ever mention that I, you know, worked on his
20 campaign when he ran for Congress. So, you know, I
21 asked the obvious question, did you ever meet him,
22 what did you do. And it sounds he, you know, talked
23 to him maybe once or twice when the governor came
24 through and, you know, said hey, thanks for helping
25 out. I think he mainly just answered phone calls

1 and maybe hung up some signs, but as far as I know,
2 it wasn't real involved, as far as I know. He
3 hasn't said much about it.

4 THE COURT: Has he ever done volunteer work
5 or done anything for any other candidate for elected
6 office?

7 PROSPECTIVE JUROR: No, not that I'm aware
8 of.

9 THE COURT: And it indicates both of you
10 donated money to a particular party, is that
11 correct?

12 PROSPECTIVE JUROR: Yes.

13 THE COURT: A lot, a little?

14 PROSPECTIVE JUROR: No, just little money,
15 once.

16 THE COURT: And you attended one other dinner
17 for an alderman?

18 PROSPECTIVE JUROR: Yeah. Yeah, we were
19 invited as a guest.

20 THE COURT: Do you follow politics?

21 PROSPECTIVE JUROR: Me? A whole lot, no. I
22 don't have a lot of time.

23 THE COURT: Your husband?

24 PROSPECTIVE JUROR: I think he's interested
25 in it, but, truthfully, I don't know how closely he

1 follows it right now. We're kind of busy with our
2 kids.

3 THE COURT: Hobbies, things you do for fun in
4 addition to the music?

5 PROSPECTIVE JUROR: Like I said, right now
6 we're pretty involved in our kids' activities. They
7 both play athletics and are involved with dancing
8 and things like that. So our time is pretty well
9 spent between working and going to their activities
10 right now.

11 THE COURT: What about you and newspapers, do
12 you read a lot of them?

13 PROSPECTIVE JUROR: No; we get the Sunday
14 Tribune and I check sports every once in a while,
15 that's about it.

16 THE COURT: What is your source of news?

17 PROSPECTIVE JUROR: We do, you know, watch
18 local news at 10:00 o'clock if I'm awake that long,
19 but that's really the only source of news. Every
20 once in a while I might hop on the Internet.

21 THE COURT: Do you actually, like, make a
22 point of looking up the news on the Internet? Like
23 your favorite websites of one kind or another?

24 PROSPECTIVE JUROR: Not really. Only if
25 there's something, you know, that I might be

1 interested that's going on. And, truthfully, it's
2 more pop entertainment kind of stuff.

3 THE COURT: You watch the Daily Show and the
4 Colbert Report?

5 PROSPECTIVE JUROR: Yeah, every once in a
6 while.

7 THE COURT: The Colbert Report, I'm sorry.

8 PROSPECTIVE JUROR: Yeah. I mean, every once
9 in a while I think they're kind of funny.

10 THE COURT: Right. When you say "every once
11 in a while" does this mean you don't see them all?

12 PROSPECTIVE JUROR: Yeah. Like I said, a lot
13 of times I'm not wake that late.

14 THE COURT: Do you recall seeing the
15 defendant in this case on any of those shows?

16 PROSPECTIVE JUROR: Ah, not recen- -- no, I
17 can't.

18 THE COURT: Since you have some interest in
19 the political process, I'm going to ask you a
20 question, a little different than I ask other
21 jurors.

22 PROSPECTIVE JUROR: Okay.

23 THE COURT: Suppose you heard all the
24 evidence in this case and you're in a position where
25 the evidence has persuaded you the government has

1 proved its case, but you decided, all things
2 considered, you like the defendant. Would it be
3 difficult for you to decide that it is proven
4 whether you like the person, it doesn't make any
5 difference?

6 PROSPECTIVE JUROR: No, it wouldn't make any
7 difference to me.

8 THE COURT: Okay, let's put it on the reverse
9 side. The government's evidence comes up short, but
10 you decide on the basis of what you hear in various
11 recordings that you really don't like the defendant.
12 Would the fact that you don't like the defendant
13 make it difficult for you to return a verdict of not
14 guilty if you thought the government hadn't proven
15 its case?

16 PROSPECTIVE JUROR: No, I would -- I honestly
17 believe that I would make my decision based on the
18 facts.

19 THE COURT: Okay. Thank you.

20 PROSPECTIVE JUROR: Thank you.

21 (Prospective juror exited the courtroom, and the
22 following proceedings were had herein:)
23 (Brief pause).

24 THE COURT: We're going to take a break now
25 because we have a new group.

1 (Recess.)

2 (The following proceedings were had in the
3 presence of the prospective jurors in open
4 court:)

5 THE CLERK: All rise.

6 (Opening of court.)

7 THE CLERK: Please be seated.

8 THE COURT: This is going to be a short
9 speech. You're here today as prospective jurors. I
10 want to tell why jury service matters, why it's
11 important. The first reason it's important and a
12 reason it's often forgotten is that we fought a
13 revolution so you can sit here today. The American
14 colonists went to courts where everything was
15 decided by the king's judges, there was no jury of
16 one's peers, and this was in fact one of the reasons
17 for the events of July 4, 1776. Your presence in
18 this courtroom is a living symbol of the birth of
19 our nation.

20 Second, no country entrusts as much to juries
21 as this nation does. The American way with jury
22 speaks to the world that we trust our citizens to
23 decide important cases, to do justice under law, and
24 juries who are selected at random from things like
25 voters lists. Jury service demonstrates the faith

1 of democracy that we are competent to govern
2 ourselves.

3 Third, the faithful performance of jury duty
4 is crucial to the parties in this case. If juries
5 were not symbolic of our revolution and the crucial
6 part of our democratic way of life, your work here
7 would still matter, and matter a great deal, and
8 that's because the people in this case have
9 submitted the decision of it to you. Your verdict
10 is significant to them, it matters to them, it is
11 important to them, and they are entitled to the very
12 best effort you can give as jurors.

13 I also want to say to you that in this case,
14 a criminal case, the jury will have to decide
15 whether the government has proved its case. You
16 will not be asked to decide whether you like or
17 dislike, approve or disapprove of the person accused
18 here, you'll be asked only to decide whether the
19 government has proved the charges against the
20 defendant beyond a reasonable doubt.

21 Now, I believe strongly in the value of your
22 service today. In a moment, I'm going to ask you to
23 take an oath to tell the truth just as witnesses do,
24 and then I'm going to ask you some questions. These
25 questions will, in fact, be based on the

1 questionnaires that you've already filled out,
2 although I'm going to go over each and every
3 question. These questions aren't asked out of idle
4 curiosity. What I'm trying to do, and what the
5 parties are trying to do, and what the questions and
6 answers will help us do is to pick out of those who
7 have been called the best possible jury to hear this
8 particular case. Not all jurors are equally suited
9 to all cases, but that does not mean that if you are
10 not selected to sit on this jury, that you're unfit
11 to serve as a juror or even that you're unfit to
12 serve on this particular case, it means only the
13 Court and counsel have an opinion that some other
14 jurors might be better for this case.

15 When you are questioned by me, you'll be
16 questioned in the order of your numbers. The
17 numbers themselves were picked by a randomizing
18 program in the court's computer. So the order of
19 the name is basically, is random.

20 One last thing, in simplified terms, very
21 simplified terms, the indictment in this case
22 charges the defendant Rod Blagojevich with several
23 counts of committing, as governor of Illinois,
24 various criminal acts referred to in various ways as
25 bribery or extortion or attempted conspiracy, using

1 phones to commit some of these offenses including
2 securing campaign contributions in exchange for
3 certain acts. The defendant, Rod Blagojevich, has
4 pled not guilty to each and every count.

:41PM

5 with that, Mr. Walker, would you administer
6 the oath and escort the jury to the holding room.

7 THE CLERK: Would each of the prospective
8 jurors please stand and raise your right hand.

9 (Prospective jurors sworn.)

:41PM

10 THE CLERK: Thank you.

11 You may exit out the rear door.

12 Juror number 191, please remain in the
13 courtroom.

14 (Prospective jurors exited the courtroom.)

:41PM

15 (Brief pause).

16 THE COURT: Hello.

17 PROSPECTIVE JUROR: Hello.

18 THE COURT: Hello. You're 191.

19 PROSPECTIVE JUROR: Yes, I am.

:42PM

20 THE COURT: At least for a while.

21 What do you do for a living?

22 PROSPECTIVE JUROR: What do I do for living?

23 THE COURT: Yeah.

24 PROSPECTIVE JUROR: I'm a dental assistant.

:42PM

25 THE COURT: And how long have you done that?

1 PROSPECTIVE JUROR: I'd say close to 2 plus
2 years. Two plus years.

3 THE COURT: Okay. What do you do before
4 that?

5 PROSPECTIVE JUROR: I worked at a cafeteria
6 service for a school.

7 THE COURT: And before that?

8 PROSPECTIVE JUROR: I also worked as a lunch
9 playground room mom for a school, a couple of hours
10 a day. Prior to that, I was just a mom.

11 THE COURT: Were you actually called a lunch
12 lady?

13 PROSPECTIVE JUROR: Yes.

14 THE COURT: That was the title that was used?

15 PROSPECTIVE JUROR: That was the title.

16 THE COURT: What do you do as a dental
17 assistant?

18 PROSPECTIVE JUROR: I assist the dentist in
19 all the procedures that's necessary with cleanings,
20 Crowns, extractions, any way I can assist.

21 THE COURT: What does your husband do?

22 PROSPECTIVE JUROR: He's a manager of a
23 restaurant.

24 THE COURT: Is it his restaurant or --

25 PROSPECTIVE JUROR: No, he's just an

1 employee. He's just the manager.

2 THE COURT: You have three children, the
3 youngest is 17?

4 PROSPECTIVE JUROR: Yes.

5 THE COURT: Two of them are in graduate
6 school and the youngest is a high school senior?

7 PROSPECTIVE JUROR: Yes.

8 THE COURT: You consulted a lawyer only for
9 things like real estate closing, estate stuff and
10 trusts, is that correct?

11 PROSPECTIVE JUROR: That's correct.

12 THE COURT: No other purpose?

13 PROSPECTIVE JUROR: No.

14 THE COURT: Ever been in a courtroom before?

15 PROSPECTIVE JUROR: Probably my senior year
16 of high school when I had a mock trial as a history
17 class.

18 THE COURT: Okay. Do you remember the
19 subject matter of that trial?

20 PROSPECTIVE JUROR: It was a car accident.

21 THE COURT: And what role did you play?

22 PROSPECTIVE JUROR: I was on the defense.

23 THE COURT: You were on the defense.

24 Was the result predetermined or --

25 PROSPECTIVE JUROR: The judge serving on the

1 case was just -- yeah, the result was predetermined
2 and it was just for a grade. It wasn't for
3 anything --

4 THE COURT: Do you belong to anything, any of
5 kind of group, union, church, charitable society, do
6 you belong to anything?

7 PROSPECTIVE JUROR: I belong to St. Spyridon,
8 Greek Orthodox church.

9 THE COURT: Have you worked there before or
10 donated money, done stuff like this?

11 PROSPECTIVE JUROR: I volunteered my services
12 as a PTA vice president for a good 8 years, they
13 have a Greek school there, and I volunteer my
14 services on a weekly basis.

15 THE COURT: PTA, was that a lot of work or a
16 little work?

17 PROSPECTIVE JUROR: I have three children, so
18 while they attended preschool I was doing the PTA
19 vice president. Did a fairly good amount of work.

20 THE COURT: What kind of work?

21 PROSPECTIVE JUROR: Raised money,
22 fundraisers, we tried to buy classroom materials for
23 the kids, desks supplies, we built a stage for their
24 performances.

25 THE COURT: Okay. You indicate that, at

1 least at the present time, you have an opinion that
2 politicians aren't doing a particularly good job, is
3 that true?

4 PROSPECTIVE JUROR: Do you want a yes or a no
5 answer?

6 THE COURT: Yeah.

7 PROSPECTIVE JUROR: Yes.

8 THE COURT: Okay. But you also said that
9 that's not directed at any particular person?

10 PROSPECTIVE JUROR: Correct.

11 THE COURT: Because you're not going to be
12 asked to judge here, when you're on the jury,
13 politicians, in general, or a lot of politicians,
14 you're going to be asked to judge only one of them.

15 PROSPECTIVE JUROR: Right.

16 THE COURT: And you're also not going to be
17 asked to judge what kind of politician they've been,
18 as a whole. You're just going to be asked to judge
19 whether the government has proven that the

20 particular politician who is a defendant here
21 committed certain federal offenses, certain specific
22 acts that they claim violated the law, and they have
23 to prove that. That's the only decision you're
24 dealing with, is whether the case has been proved
25 against this defendant, do you understand that?

1 PROSPECTIVE JUROR: Yes, I do.

2 THE COURT: Okay. Hobbies? Now that you
3 don't have the PTA, what are your hobbies?

4 PROSPECTIVE JUROR: I enjoy spending time
5 with my family, cooking, exercise.

6 THE COURT: Where do you get your news from?

7 PROSPECTIVE JUROR: The very little bit that
8 I do have time for could be the 10:00 o'clock news
9 on TV, or if I'm driving to work in the morning for
10 the dentist it could be News Radio 78. Very
11 sparingly, I might check out the news if I'm looking
12 for something specific on the Internet.

13 THE COURT: Okay. But you are not a person
14 who, like, has to visit several websites every day
15 to see what's up?

16 PROSPECTIVE JUROR: I don't have time.

17 THE COURT: Okay. If you did have time,
18 would you do it?

19 PROSPECTIVE JUROR: Ah --

20 THE COURT: Or are you not interested? Or
21 not that interested, I think is the correct phrase.

22 PROSPECTIVE JUROR: I think that several
23 issues I would be interested in as far as for the
24 catastrophes and, you know, earthquakes that have
25 happened around the world, I would be interested in

1 that, but not necessarily on every detail of the
2 news.

3 THE COURT: Now, you heard about this case
4 before?

5 PROSPECTIVE JUROR: I'm sure. Everyone has.

6 THE COURT: And you saw some stuff about it
7 on television?

8 PROSPECTIVE JUROR: A little bit.

9 THE COURT: And you read some stuff about it
10 in the papers?

11 PROSPECTIVE JUROR: Maybe some headlines.

12 THE COURT: Okay. The rule that applies here
13 is that you have to decide this case just based on
14 the evidence hear in this courtroom, that stuff from
15 the witness stand, you can't decide it at all on the
16 basis of anything you heard about or read about
17 outside the courtroom, do you understand that?

18 PROSPECTIVE JUROR: I understand that.

19 THE COURT: Now, sometimes that's a mental --
20 sometimes, for some people, that's mentally
21 difficult to do, because they think that the rule is
22 is that you have to somehow forget what you heard or
23 read or that you have to erase it from your mind,
24 that's not the instruction we give you. The
25 instruction is, if you remember something about the

1 case before, we actually want you to be able to
2 remember that you heard about it before, because we
3 then want you, when you weigh the evidence,
4 deliberately keep it off the scales.

:50PM

5 PROSPECTIVE JUROR: I understand.

:51PM

6 THE COURT: That all you do when you weigh
7 the evidence is you weigh the evidence you heard in
8 the courtroom, not on anything you heard or read
9 anywhere else. Now, I know you understand that,
10 would you do that?

11 PROSPECTIVE JUROR: I believe I could do
12 that.

:51PM

13 THE COURT: You wrote a comment about not
14 understanding a question, which was your ability to
15 follow the law, and you're really not the only one
16 who didn't understand this question. What it means
17 is, that at the end of the case I give you
18 instructions on the law, I define what the law is,
19 and I actually read them to you, and the jury
20 actually gets them at the end of the case. But what
21 I sometimes say is there are times when I'm reading
22 these transactions, even myself, and sometimes a
23 juror, believes that maybe the law is wrong, or
24 foolish, or an unwise law.

:51PM

:52PM

25 PROSPECTIVE JUROR: Oh ...

1 THE COURT: And sometimes, in all honesty, I
2 think the same thing. But the trial judges, and
3 that's what I am, and the jurors are bound by the
4 rule which says we have to follow the law as defined
5 by the higher courts and by the Congress of the
6 United States. So when we ask you the question,
7 will you follow the law even if you disagree with
8 it, we mean that literally; that is, we know what
9 the law is, we also know that you might possibly
10 disagree with it as a matter of policy, but the rule
11 is you still have to follow it as part of your duty,
12 will you do that?

13 PROSPECTIVE JUROR: Yes.

14 THE COURT: With respect to the family issues
15 that you raised at the very end, what precisely is
16 the plan with respect to the family stuff?

17 PROSPECTIVE JUROR: My son, who is a senior
18 in high school, is graduating from high school,
19 Thursday May 26th. My father's condition has
20 improved. He had angioplasty done on the 17th of
21 April, I believe, and his condition is doing much
22 better. My son will be attending college, Loyola
23 University, in August, so I basically just have to
24 help him get ready for that.

25 THE COURT: Am I correct in concluding that

1 what you're concerned about is not so much what is
2 going to happen, and not so much the proposition
3 that you can't really serve during this period of
4 time, but I think what you're saying to me is some
5 things could happen, somebody could get sick, things
6 could go in the way that you don't expect now, and,
7 under those circumstances, you'd be unable to serve
8 at all, is that what you're telling me or is it
9 something different?

10 PROSPECTIVE JUROR: With all honesty, Your
11 Honor, my father's health was an issue. He is
12 improving, I cannot deny that.

13 THE COURT: Right.

14 PROSPECTIVE JUROR: That was the biggest
15 possibility of something that might happen. So I'm
16 being honest with you.

17 THE COURT: Right.

18 PROSPECTIVE JUROR: He's stable. He's fine.

19 THE COURT: He's fine.

20 PROSPECTIVE JUROR: Right, he's fine.

21 THE COURT: Okay. I can consider that, but I
22 just wanted to make sure what it is exactly what the
23 problem was.

24 Thank you.

25 (Prospective juror exited the courtroom, and the

1 following proceedings were had herein:)

2 (Brief pause).

3 (Prospective juror entered the courtroom, and
4 the following proceedings were had herein:)

:55PM

5 THE COURT: You are number 192?

6 PROSPECTIVE JUROR: Yes, sir.

7 THE COURT: 192.

8 what do you do for a living?

:55PM

9 PROSPECTIVE JUROR: Manufacturing, make
10 aerosol cans.

11 THE COURT: How long have you been doing
12 that?

13 PROSPECTIVE JUROR: Since '07.

:55PM

14 THE COURT: And is that basically what you've
15 been doing for this one employer, making aerosol
16 cans?

17 PROSPECTIVE JUROR: Yes.

18 THE COURT: what did you do before that?

:56PM

19 PROSPECTIVE JUROR: I was in a skill factory,
20 we did coil coating.

21 THE COURT: what did you do there?

22 PROSPECTIVE JUROR: we painted steel coils.

23 THE COURT: Okay. How long did you work
24 there?

:56PM

25 PROSPECTIVE JUROR: I was there from May of

1 '98 to '07.

2 THE COURT: And how come you left that one?

3 PROSPECTIVE JUROR: They got bought out and
4 closed.

5 THE COURT: So you got laid off?

6 PROSPECTIVE JUROR: Basically, yes.

7 THE COURT: How long did you wait between
8 that job and the new job you have?

9 PROSPECTIVE JUROR: I found it right away.

10 THE COURT: Right away.

11 PROSPECTIVE JUROR: Yeah.

12 THE COURT: What does your wife do?

13 PROSPECTIVE JUROR: My wife is a medical
14 biller.

15 THE COURT: How long has she been doing that?

16 PROSPECTIVE JUROR: Pretty much since I've
17 known her, so 10 years.

18 THE COURT: You have three kids.

19 PROSPECTIVE JUROR: Yes, I do.

20 THE COURT: 5 to 1?

21 PROSPECTIVE JUROR: 5 to 1.

22 THE COURT: You have a brother in real
23 estate, a brother-in-law working at a prison jail or
24 probation, and a wife's cousin who's a police
25 officer?

1 PROSPECTIVE JUROR: Yes.

2 THE COURT: Are any of these people
3 particularly close to you?

4 PROSPECTIVE JUROR: Well, my brother.

5 THE COURT: I mean, the question is, do you
6 see him often?

7 PROSPECTIVE JUROR: Yes, I do.

8 THE COURT: Okay. Somebody in your family
9 was a victim of a robbery?

10 PROSPECTIVE JUROR: Yes.

11 THE COURT: Who was that?

12 PROSPECTIVE JUROR: My grandma.

13 THE COURT: Was that recently or a long time
14 ago?

15 PROSPECTIVE JUROR: I would say 12 years ago.

16 THE COURT: Okay. Your primary leisure
17 activity is playing with your three young children?

18 PROSPECTIVE JUROR: Yeah; basically it. 1, 2
19 and 5, they run me crazy.

20 THE COURT: Well, it's not necessarily an
21 activity that you have a choice about whether to do
22 or not do.

23 Where do you get your news from?

24 PROSPECTIVE JUROR: Probably mostly Internet.

25 THE COURT: Do you see a lot of news, look at

1 a lot of news?

2 PROSPECTIVE JUROR: Mostly follow sports.

3 THE COURT: Okay. You heard something or
4 read something about this case, is that right?

5 PROSPECTIVE JUROR: Yes.

6 THE COURT: Do you remember a lot of details?

7 PROSPECTIVE JUROR: Not really, because I
8 don't -- I don't believe everything I read.

9 THE COURT: Okay. What the rule is is that
10 you're supposed to decide this case on the basis of
11 the evidence you hear in court, basically it comes
12 from the witness stand. In fact, it's not
13 everything you hear in court, it's only certain
14 things you hear in court. What's important is
15 that rule is followed, that you decide it only on
16 what you hear in court. The problem sometimes comes
17 because, particularly in this case and others like
18 it, you may have heard or read something about it
19 before you ever got to the Court, and even if you
20 don't remember it now, it might be that as you hear
21 the testimony you'll remember that you read a
22 newspaper article about it. And there's nothing
23 wrong with that. The only thing is is that we want
24 to make sure that you're able to put any memories
25 you have of what you learned in the past to one side

1 and when it comes to weighing the evidence, when you
2 put it on the scales, as people sometimes say, the
3 only evidence you put on the sales is that which you
4 heard in the courtroom and you just ignore anything
5 you remember you might have heard outside the
6 courtroom, could you do that?

7 PROSPECTIVE JUROR: Yes, I could.

8 THE COURT: Would you do that?

9 PROSPECTIVE JUROR: Yes, I will.

10 THE COURT: Thank you.

11 (Prospective juror exited the courtroom, and the
12 following proceedings were had herein:)

13 (Brief pause).

14 (Prospective juror entered the courtroom, and
15 the following proceedings were had herein:)

16 THE COURT: You're number 193?

17 PROSPECTIVE JUROR: Yes.

18 THE COURT: I take it, I might be wrong about
19 this, but I take it, based on what you do for a
20 living, this is not your first time in a courthouse?

21 PROSPECTIVE JUROR: You're correct.

22 THE COURT: Do you have any idea how much of
23 the case law in -- is it Kane County?

24 PROSPECTIVE JUROR: Kane County, yes.

25 THE COURT: How much of the case law within

1 Kane County winds up in arbitration?

2 PROSPECTIVE JUROR: Oh, you know, that I am
3 not sure of.

4 THE COURT: Okay.

5 PROSPECTIVE JUROR: Yeah, I'm not sure what
6 the percentage is.

7 THE COURT: And what you do is schedule
8 arbitrations and assign arbitrators to each case?

9 PROSPECTIVE JUROR: Yes.

10 THE COURT: Are these single arbitrator cases
11 or multiple arbitrators?

12 PROSPECTIVE JUROR: Multiple.

13 THE COURT: Usually 3.

14 PROSPECTIVE JUROR: 3.

15 THE COURT: Any particular kind of case get
16 arbitrated more than any others?

17 PROSPECTIVE JUROR: well, up until about
18 6 months ago I'd say 90 percent were car accidents,
19 insurance companies.

20 THE COURT: Right.

21 PROSPECTIVE JUROR: But it's changed now.
22 There's a lot of credit card debt, a lot of that
23 now, and contract cases.

24 THE COURT: And this is arbitration that's
25 offered as part of the program?

1 PROSPECTIVE JUROR: It's mandatory for cases
2 between 10,000 and 50,000 dollars.

3 THE COURT: Okay. And your husband is now
4 retired?

5 PROSPECTIVE JUROR: Yes.

6 THE COURT: But he worked in the pressroom of
7 a local newspaper?

8 PROSPECTIVE JUROR: Yes.

9 THE COURT: What is he doing with his time
10 these days?

11 PROSPECTIVE JUROR: Nothing. He worked for
12 43 years, he's enjoying doing nothing.

13 THE COURT: You have two children who
14 graduated college?

15 PROSPECTIVE JUROR: Yes.

16 THE COURT: Are you paid by the state or the
17 county?

18 PROSPECTIVE JUROR: State.

19 THE COURT: Who was in the Army?

20 PROSPECTIVE JUROR: My husband.

21 THE COURT: And he served in Vietnam?

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: Do you know -- oh, you answered
24 this question.

25 only seen a lawyer to have a will done?

1 PROSPECTIVE JUROR: Yes.

2 THE COURT: What did your husband do in the
3 pressroom?

4 PROSPECTIVE JUROR: He was the pressroom
5 supervisor. He worked his way up to that position.

6 THE COURT: Right.

7 PROSPECTIVE JUROR: And that's what he did
8 the last 10 years, but he always worked in the
9 pressroom.

10 THE COURT: Okay. And what did he start
11 doing in the pressroom when he first started there?

12 PROSPECTIVE JUROR: Cleaned the press, got
13 the presses ready to actually do the paper.

14 THE COURT: You have broken the record for
15 the largest number of any juror asking the question,
16 "how many attorneys, if any, have you known fairly
17 well."

18 PROSPECTIVE JUROR: You know, that's probably
19 a low count on my part. It's probably more than
20 that, because that's who I deal with.

21 THE COURT: Well, if you went down by 90
22 percent, you'd still be the leader. 350 is a lot.

23 You were asked -- I mean, we did this
24 deliberately, we're not trying to tell you that we
25 wanted a legally correct answer, we just wanted what

1 your thought is, a series of three questions:

2 "Do you have strong opinions positive or
3 negative about politics."

4 And you said."

5 "I think it's obvious that Illinois governors in
6 the past have been very crooked."

7 You have no opinion on whether public
8 officials consider their own personal financial
9 interest in the course of making official decisions,
10 but you do believe that:

11 "... public officials make official decisions to
12 say benefit contributors in exchange for
13 campaign contributions."

14 And what you said is:

15 "... I don't like it but feel it is part of
16 being a politician."

17 And you're entitled to have all of those
18 views, but what you have to do if you're a juror,
19 what you'll be asked to do if you're a juror is not
20 to express any views on whether taking campaign
21 money in exchange for a vote, say, is illegal, but
22 there are certain specific charges made against this
23 defendant and what you're going to be asked to do is
24 whether this defendant, not politicians as a whole,
25 not other governors, whether this defendant violated

1 specific laws and whether the government has proved
2 this beyond a reasonable doubt, that's the question
3 you're going to be asked to decide. Do you think
4 you can decide that question and only that request?

:08PM

5 PROSPECTIVE JUROR: I think I could listen to
6 the entire trial and -- and be open-minded. I think
7 it would be interesting to hear both sides.

:08PM

8 THE COURT: It's also important that you
9 understand that the issue is whether it's proved
10 that this defendant committed these offenses beyond
11 a reasonable doubt, and it's the only question
12 you'll be asked. You will not be able to consider
13 as an issue whether other people have done the same
14 thing and maybe not been charged or got away with
15 it. The only question you're going to be asked to
16 decide, the only thing you should focus on is
17 whether the defendant in this particular case was
18 proven to have done what the government said he did,
19 and that's it, you limit yourself to that one?

:09PM

20 PROSPECTIVE JUROR: Sure.

:09PM

21 THE COURT: Hobbies, things you do?

22 PROSPECTIVE JUROR: I read.

23 THE COURT: Read novels?

:09PM

24 PROSPECTIVE JUROR: Novels. I like to play
25 cards, I belong to several different card clubs.

1 THE COURT: And it says you enjoy gardening.

2 PROSPECTIVE JUROR: Yes, I like my flowers.

3 THE COURT: So you play poker and gin?

4 PROSPECTIVE JUROR: And bridge.

5 THE COURT: And bridge.

6 And I don't want to ask you what you play
7 for, I actually would like to know, but I'm not
8 going to ask you.

9 You said your most important source of news
10 is the internet?

11 PROSPECTIVE JUROR: Yes.

12 THE COURT: And how do you get your news on
13 the Internet?

14 PROSPECTIVE JUROR: Just sign in home page,
15 the Yahoo home page.

16 THE COURT: And you, like, sit down at the
17 same time every day and go through your list of
18 favorite news media?

19 PROSPECTIVE JUROR: You know what, I look at
20 the obituaries and the headlines.

21 THE COURT: The reason I ask is, I want to
22 know if you're somebody who looks at a large daily
23 dose of news.

24 PROSPECTIVE JUROR: No.

25 THE COURT: You have heard something about

1 this case?

2 PROSPECTIVE JUROR: Yes.

3 THE COURT: You read about and you heard
4 about it?

5 PROSPECTIVE JUROR: Yes.

6 THE COURT: And you know, according to this,
7 a lot of people think he's guilty?

8 PROSPECTIVE JUROR: Yes.

9 THE COURT: And, in fact, it says from what
10 you heard, "I think he's guilty of trying to sell a
11 position," that's what you think. My question for
12 you is -- first of all, I will tell you, you're
13 entitled to think that, but what you're not entitled
14 to do is to keep that opinion once the trial starts.
15 You have to set that opinion aside. You're not
16 going to forget that you thought that, but you have
17 to start out with a clean piece of paper, and what
18 fills that piece of paper for you to decide on is
19 the evidence you hear from the witness stand, and
20 the question is, will you be able to put your
21 opinion from what you've heard off to the side?

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: Okay. You were asked if you have
24 personal, religious, philosophical or other beliefs
25 that will make it difficult for you to sit in

1 judgment on another and you said:

2 "... yes, personally I feel no human has the
3 right to judge another."

4 we're not actually dealing with rights here,
5 we're dealing with people's duties as a citizen, and
6 the constitution, as long as there's a jury trial,
7 says that part of your duty as a citizen is to enter
8 these judgments. Nobody claims that they're

9 infallible, nobody thinks that the jury is like God,
10 but a citizen does have a duty to decide a case if
11 they get selected for a jury and deciding a case
12 means that they're making a judgment about somebody.

13 And, in many cases, they are not even making a
14 judgment about somebody, they're making a judgment
15 on the evidence. Now, if you understand it that
16 way, do you have any difficulty assuming that duty
17 as a citizen?

18 PROSPECTIVE JUROR: No.

19 THE COURT: You are concerned that if the
20 trial were to last a certain period of time you
21 would worry about the efficiency of the arbitration
22 system in Kane County, is that right?

23 PROSPECTIVE JUROR: I was --

24 THE COURT: Because you're it?

25 PROSPECTIVE JUROR: Yes; right. And I was

1 very concerned about that until I realized that
2 Fridays would be a day that I would still be at
3 work.

4 THE COURT: So that's not a big issue for you
5 now?

6 PROSPECTIVE JUROR: You know, I even have a
7 documentation that I was asked to bring if that was
8 going to be a problem from one of my supervisors,
9 but after being here last week, that one day, the
10 girl that did fill in for me did a very good job and
11 I don't think it would be that big of a hardship.

12 THE COURT: We have found, this is not true
13 of everybody, we have found in cases like this that
14 lasts for a significant period of time, if the juror
15 has at least one day a week they don't clean up any
16 backlogs but they can take care of the current
17 stuff.

18 PROSPECTIVE JUROR: Right.

19 THE COURT: And this is particularly true
20 because during the down time, we don't lock jurors
21 up anymore, so they have telephones, they have
22 computers, and we've had people who actually
23 succeeded running a business while being on a jury
24 four days a week. So I'm glad you found that out.
25 Thanks.

1 (Prospective juror exited the courtroom, and the
2 following proceedings were had herein:)

3 (Brief pause).

4 (Prospective juror entered the courtroom, and
5 the following proceedings were had herein:)

6 THE COURT: You are 194?

7 PROSPECTIVE JUROR: I am.

8 THE COURT: And now you have a microphone in
9 your hand.

10 PROSPECTIVE JUROR: Yes.

11 THE COURT: Good. What do you do for a
12 living?

13 PROSPECTIVE JUROR: I'm a secretary for an
14 insurance company.

15 THE COURT: And how long have you done that
16 job?

17 PROSPECTIVE JUROR: 29 years.

18 THE COURT: It says here that you assist
19 claim representatives and team managers in the claim
20 office.

21 PROSPECTIVE JUROR: Yes.

22 THE COURT: Has that been basically the same
23 work for all 29 years?

24 PROSPECTIVE JUROR: Yes.

25 THE COURT: Do you like that work?

1 PROSPECTIVE JUROR: It's okay.

2 THE COURT: You have two children, 19 and 20,
3 two daughters.

4 PROSPECTIVE JUROR: Two daughters. I'm a
5 single mom.

6 THE COURT: Did you have a job before your
7 current one?

8 PROSPECTIVE JUROR: Yes.

9 THE COURT: What kind of work did you do?

10 PROSPECTIVE JUROR: I worked for an
11 advertising agency downtown.

12 THE COURT: And what did you do for them?

13 PROSPECTIVE JUROR: Secretary.

14 THE COURT: You had a lawyer for the divorce,
15 nothing else?

16 PROSPECTIVE JUROR: That's all.

17 THE COURT: Was the divorce contested or was
18 it agreed to?

19 PROSPECTIVE JUROR: It was contested.

20 THE COURT: Did you have to go to court?

21 PROSPECTIVE JUROR: Yes; it was in Will
22 County.

23 THE COURT: Did you have to go to court
24 often?

25 PROSPECTIVE JUROR: I think I went twice.

1 THE COURT: Did you have to testify?

2 PROSPECTIVE JUROR: Yes.

3 THE COURT: Once?

4 PROSPECTIVE JUROR: Just once.

:17PM

5 THE COURT: Okay. What was your experience
6 testifying like?

7 PROSPECTIVE JUROR: Nervous.

:17PM

8 THE COURT: Okay. I really don't know too
9 many people who testify who don't say they're
10 nervous.

11 You served on a jury.

12 PROSPECTIVE JUROR: I did.

13 THE COURT: And did the jury reached a
14 verdict?

:18PM

15 PROSPECTIVE JUROR: Uh-huh.

16 THE COURT: This was a stabbing, criminal
17 case?

18 PROSPECTIVE JUROR: Yes. Yes.

:18PM

19 THE COURT: How long ago was that? Oh, you
20 said 2007.

21 PROSPECTIVE JUROR: 2007 or '08.

22 THE COURT: You have hobbies that you like to
23 do.

24 PROSPECTIVE JUROR: Not really.

:18PM

25 THE COURT: Have you ever had them?

1 PROSPECTIVE JUROR: No. I have kids; they
2 keep me busy.

3 THE COURT: They're your hobby?

4 PROSPECTIVE JUROR: They're my hobby.

5 THE COURT: Do you read the news a lot, spend
6 a lot of time for news?

7 PROSPECTIVE JUROR: No, not a lot.

8 THE COURT: Where do you get news from?

9 PROSPECTIVE JUROR: Newspaper, magazines, the
10 Internet.

11 THE COURT: In a given day, how much time do
12 you spend with the news?

13 PROSPECTIVE JUROR: About half hour.

14 THE COURT: And if you missed the news for a
15 day or two, do you get withdrawal symptoms?

16 PROSPECTIVE JUROR: No. Not at all.

17 THE COURT: What you're sitting there now,
18 you say you believe the defendant is guilty?

19 PROSPECTIVE JUROR: Uh-huh.

20 THE COURT: And that's based on what you
21 heard and read?

22 PROSPECTIVE JUROR: Exactly.

23 THE COURT: If you sit on a jury, you're
24 supposed to disregard everything you heard and
25 read --

1 PROSPECTIVE JUROR: Right.

2 THE COURT: -- and decide the case solely on
3 the basis of the evidence in the courtroom, you
4 could come to the same conclusion but you're only
5 supposed to consider what's --

6 PROSPECTIVE JUROR: what's presented, I
7 understand.

8 THE COURT: Do you think you could do that?

9 PROSPECTIVE JUROR: I will try.

10 THE COURT: You also say you don't feel
11 comfortable judging anyone. For many people, it's
12 like testifying in court, it might work out fine but
13 you're nervous, and that stands for judging people
14 as a juror.

15 PROSPECTIVE JUROR: Correct.

16 THE COURT: And the question is not whether
17 you feel comfortable, the question is whether you
18 could do it fairly.

19 PROSPECTIVE JUROR: I would do my best.

20 THE COURT: Okay. You provide caretaking
21 duties to your mother, is that correct?

22 PROSPECTIVE JUROR: Right. Right.

23 THE COURT: What does that involve?

24 PROSPECTIVE JUROR: well, I spend the night
25 with her a couple of nights a week, stop after work

1 and see her for a couple of hours.

2 THE COURT: So you see her every day?

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: And what time would that be?

5 PROSPECTIVE JUROR: what time do I leave?

6 THE COURT: would you see her.

7 PROSPECTIVE JUROR: Oh, after work.

8 THE COURT: Okay, which would be about?

9 PROSPECTIVE JUROR: I work until 4:30, a half

10 our to get there. So a couple of hours, 7:00

11 o'clock, 8:00 o'clock.

12 THE COURT: Okay.

13 PROSPECTIVE JUROR: And then one night a week

14 I spend with her.

15 THE COURT: what did you just say?

16 PROSPECTIVE JUROR: One night a week I spend

17 the night, Thursday nights.

18 THE COURT: Okay. And your principal concern

19 is that serving on this jury would be no difficulty,

20 you just want to be geographically close.

21 PROSPECTIVE JUROR: Correct.

22 THE COURT: And how long does it take you to

23 get from your job and to your mother's?

24 PROSPECTIVE JUROR: It takes me a half hour

25 to get to work.

1 THE COURT: Where does your mother live in
2 relation to where you live?

3 PROSPECTIVE JUROR: About five minutes from
4 me.

5 THE COURT: Sort distance.

6 PROSPECTIVE JUROR: Yes, she's close by.

7 THE COURT: I will take this into
8 consideration.

9 PROSPECTIVE JUROR: Okay.

10 THE COURT: Part of it depends on what I need
11 for this case. But it's a reasonable point and it's
12 possible we will try to honor your request.

13 PROSPECTIVE JUROR: Okay. I appreciate it.

14 THE COURT: Thank you.

15 (Prospective juror exited the courtroom, and the
16 following proceedings were had herein:)
17 (Brief pause).

18 THE COURT: 195 is a no-show.

19

20 (Prospective juror entered the courtroom, and
21 the following proceedings were had herein:)

22 THE COURT: You're 196?

23 PROSPECTIVE JUROR: Yes.

24 THE COURT: You have a Master's Degree?

25 PROSPECTIVE JUROR: Yes.

1 THE COURT: And your Master's Degree was in
2 occupational therapy?

3 PROSPECTIVE JUROR: It's Master's of Science
4 in Occupational Therapy, yeah.

5 THE COURT: And, in fact, you are an
6 occupational therapist?

7 PROSPECTIVE JUROR: Yes.

8 THE COURT: How long have you been doing that
9 work?

10 PROSPECTIVE JUROR: A little over a year. A
11 year and, like, 3 months.

12 THE COURT: And when did you get your degree?

13 PROSPECTIVE JUROR: November 2009.

14 THE COURT: And how soon after that did you
15 start being an occupational therapist?

16 PROSPECTIVE JUROR: I had to sit for my exam
17 to get certified and I started my job February 1st.

18 THE COURT: So it wasn't a long interval?

19 PROSPECTIVE JUROR: No.

20 THE COURT: What kind of work, basically, do
21 you do? Do you have any kind of particular
22 specialty or do you do the whole range?

23 PROSPECTIVE JUROR: My job is unique because
24 I work with both adults and kids, my days are split
25 in half. In the mornings I work with adults in the

1 hospital on all the different units, and then in the
2 afternoons I work with children with disabilities,
3 it's an outpatient setting, and they come in as
4 one-on-one treatment sessions.

5 THE COURT: On the average, how long does the
6 session last?

7 PROSPECTIVE JUROR: For the children?

8 THE COURT: Yeah, for anybody.

9 PROSPECTIVE JUROR: For an hour, yeah.

10 THE COURT: Okay. What other work did you
11 do, particular work you did while you were in
12 school?

13 PROSPECTIVE JUROR: I was a waitress
14 part-time while I was in grad school.

15 THE COURT: Anything else?

16 PROSPECTIVE JUROR: No. It was full-time
17 schooling, so I didn't have a lot of extra time.

18 THE COURT: Your parents work for the Postal
19 Service?

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: Do they still work for them?

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: And you worked as a casual
24 carrier?

25 PROSPECTIVE JUROR: For summers, for three

1 months, yes.

2 THE COURT: As do, roughly, 90 percent of
3 children of postal workers.

4 PROSPECTIVE JUROR: It's a good job.

5 THE COURT: You have an uncle who was
6 arrested or convicted for DUI?

7 PROSPECTIVE JUROR: Yes.

8 THE COURT: Somebody close to you?

9 PROSPECTIVE JUROR: Kinda. He's my uncle, I
10 see him on holidays.

11 THE COURT: Right. Now, did this happen a
12 long time?

13 PROSPECTIVE JUROR: Yeah.

14 THE COURT: I just want --

15 PROSPECTIVE JUROR: I don't even remember
16 when it happened.

17 THE COURT: To put it in plain terms, I just
18 want to know if this is a big thing in your life or
19 not.

20 PROSPECTIVE JUROR: No, I don't even remember
21 it happening.

22 THE COURT: All right. You were asked about
23 experience involving the police our law enforcement
24 agencies, which basically means did you ever have to
25 talk them, and you listed car vandalized and fight

1 at a party. Does this mean that you talked to the
2 police about these things?

3 PROSPECTIVE JUROR: I had my car vandalized
4 and --

5 THE COURT: You reported it?

6 PROSPECTIVE JUROR: I'm sorry?

7 THE COURT: And you reported it to the
8 police.

9 PROSPECTIVE JUROR: Yeah. Uh-huh.

10 THE COURT: And what was the fight at the
11 party?

12 PROSPECTIVE JUROR: I had people over at my
13 house and two got in a fight, so the police were
14 called and I had to explain the story to them.

15 THE COURT: Hobbies, stuff you do --

16 PROSPECTIVE JUROR: I like --

17 THE COURT: -- for fun?

18 PROSPECTIVE JUROR: Friends, family, I play
19 on a coed softball team, go to the movies, go to
20 concerts.

21 THE COURT: How often do you play on the
22 softball team?

23 PROSPECTIVE JUROR: It's on Sundays during
24 the summer.

25 THE COURT: Is this very serious?

1 PROSPECTIVE JUROR: No, it's for fun.

2 THE COURT: And in talking about reading
3 books, basically what I read is you read books that
4 relate to your job?

:28PM

5 PROSPECTIVE JUROR: Yeah, since I'm new to
6 the field and --

7 THE COURT: You want to learn more.

8 PROSPECTIVE JUROR: Yeah; I don't have a lot
9 of extra time to do reading.

:28PM

10 THE COURT: Where do you get your news from?

11 PROSPECTIVE JUROR: I don't watch the news a
12 lot. Occasionally, I'll watch the news on TV before
13 I go to bed. That's pretty much the extent of it.
14 I don't really read the newspaper.

:28PM

15 THE COURT: You did say you use the Internet.

16 PROSPECTIVE JUROR: Yeah, Yahoo, Google.

17 THE COURT: My question to you is, are you
18 the kind of person who sits down every day --

19 PROSPECTIVE JUROR: No.

:29PM

20 THE COURT: -- opens the Internet and reads
21 at least some of the news, because if you don't read
22 the news every day you'll feel that something
23 crucial is missing from your life, do you fall in
24 that class?

:29PM

25 PROSPECTIVE JUROR: No.

1 THE COURT: Okay. And I take it you didn't
2 follow this trial much?

3 PROSPECTIVE JUROR: No.

4 THE COURT: But you followed it a little?

5 PROSPECTIVE JUROR: Very, very little.

6 THE COURT: Right. And you have some
7 memories of what the case was about?

8 PROSPECTIVE JUROR: Very little, yeah.

9 THE COURT: Okay. And that part is good,
10 because we ask you to decide cases as a juror based
11 on the evidence you hear in court and only the
12 evidence you hear in court, and the less you
13 remember about it the better it is because it's
14 easier to focus that way. But it's possible that
15 when you hear this evidence, you might start
16 remembering stuff you read before that will remind
17 you, and it's important when that happens that when
18 you weigh the evidence, that you keep stuff that you
19 remembered from the past, stuff that you've been
20 reminded of from the past, you keep that out of your
21 weighing of the evidence. As we sometimes say, when
22 you use the scales of justice to weigh evidence, you
23 leave the stuff you didn't hear in the courtroom off
24 the scales; do you understand what I'm talking
25 about?

1 PROSPECTIVE JUROR: Uh-huh. Yeah.

2 THE COURT: Would you do that?

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: Could you do that?

:30PM

5 PROSPECTIVE JUROR: Yes.

6 THE COURT: Thanks.

7 (Prospective juror exited the courtroom, and the
8 following proceedings were had herein:)

9 (Brief pause).

:30PM

10 (Prospective juror entered the courtroom, and
11 the following proceedings were had herein:)

12 THE COURT: Hi. Have a seat.

13 You're 197?

14 PROSPECTIVE JUROR: Yes.

:31PM

15 THE COURT: 197. You're a college graduate?

16 PROSPECTIVE JUROR: Yes, sir.

17 THE COURT: Your major is criminal justice?

18 PROSPECTIVE JUROR: Yes.

19 THE COURT: What's your current employment?

:31PM

20 PROSPECTIVE JUROR: I work for Loyola
21 University Hospital.

22 THE COURT: And how long have you worked for
23 them?

:32PM

24 PROSPECTIVE JUROR: Between, like, 6 and
25 7 years.

1 THE COURT: Okay.

2 PROSPECTIVE JUROR: I worked there when I was
3 in high school, too.

4 THE COURT: Okay. And which Loyola, what's
5 the location of the hospital you work at?

6 PROSPECTIVE JUROR: It used to be in Maywood,
7 but the department that I worked for transferred out
8 to Westchester.

9 THE COURT: Okay. And you deal with billing?

10 PROSPECTIVE JUROR: Correct.

11 THE COURT: Any other work you do?

12 PROSPECTIVE JUROR: Construction part-time,
13 usually in the summer.

14 THE COURT: Do you have any particular skill
15 for that one?

16 PROSPECTIVE JUROR: I do not.

17 THE COURT: Somebody you worked for for a
18 while?

19 PROSPECTIVE JUROR: Yes.

20 THE COURT: And they call you when they need
21 you?

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: You were asked if a family member
24 or close friend has been arrested or convicted of a
25 crime, you indicated the person was not convicted

1 but it's too personal. You will have to answer that
2 question but you're not going to do it in open
3 court.

4 PROSPECTIVE JUROR: Okay.

5 THE COURT: We're going to do it somewhere
6 else. And the same has to do with question 31.
7 Never hired a lawyer yourself for any reason?

8 PROSPECTIVE JUROR: No.

9 THE COURT: And you served on a grand jury?

10 PROSPECTIVE JUROR: I did.

11 THE COURT: And it was for a couple of
12 months?

13 PROSPECTIVE JUROR: Yeah, it was every
14 Tuesday, I believe, for 3 months.

15 THE COURT: For what county was that?

16 PROSPECTIVE JUROR: That was in Wheaton.

17 THE COURT: Okay. Do you belong to anything?
18 Clubs, groups, organizations, anything at all?

19 PROSPECTIVE JUROR: No.

20 THE COURT: You've done volunteer work for
21 local political groups?

22 PROSPECTIVE JUROR: I have.

23 THE COURT: What kind of political groups?

24 PROSPECTIVE JUROR: In Bloomingdale, just
25 handing out fliers, and Glendale Heights as well.

1 THE COURT: And what do the fliers tell
2 people to do or not do?

3 PROSPECTIVE JUROR: Just go out and vote,
4 basically.

5 THE COURT: Okay. Softball, basically,
6 travel?

7 PROSPECTIVE JUROR: Correct.

8 THE COURT: Tell me a little more.

9 PROSPECTIVE JUROR: I play baseball for close
10 to 17 years, now I just play softball; I traveled to
11 a lot of different places, Australia, New Zealand,
12 Fiji, Europe.

13 THE COURT: So that's basically your time
14 away from the office is you travel?

15 PROSPECTIVE JUROR: Right. If I had more
16 money, I'd be in a lot more places.

17 THE COURT: Right. And you traveled to
18 places that are very distant.

19 PROSPECTIVE JUROR: Correct.

20 THE COURT: And like your criterion is the
21 flight has to last at least 11 hours?

22 PROSPECTIVE JUROR: I know I'm far away and
23 that's when I can't read the signs, that's exciting
24 for me.

25 THE COURT: Where do you get your news from?

1 PROSPECTIVE JUROR: I try to stay away from
2 the news because I don't think -- it's too
3 depressing for me. The good people are never put on
4 the news, it's always the bad things you hear about,
5 so I stick to sports, that's about it.

6 THE COURT: You were basically out of town
7 during the previous events in this case?

8 PROSPECTIVE JUROR: That's correct.

9 THE COURT: So you heard about it but not
10 much?

11 PROSPECTIVE JUROR: Correct. I was away at
12 college.

13 THE COURT: Yeah. I gather from your point
14 of view, that you would be not necessarily in this
15 case but you'd be interested in serving on a jury?

16 PROSPECTIVE JUROR: I would.

17 THE COURT: Let's come to the side.

18

19

20 (Proceedings heard at sidebar on the record.)

21 THE COURT: That buzzing you're hearing means
22 nobody can hear us unless somebody raises their
23 voice.

24 PROSPECTIVE JUROR: Okay.

25 THE COURT: And the record with respect to

1 this will be sealed.

2 So has a family member or close friend been
3 arrested, and you said "too personal, not
4 convicted."

5 PROSPECTIVE JUROR: My father was, years and
6 years ago, someone shot at him at a bar, he wasn't
7 hit though, and then they just wanted to detain him
8 because, obviously, he was going to go after this
9 guy, but he wasn't convicted, they released him.

10 THE COURT: And is that the same thing having
11 to do with been a victim of a crime?

12 PROSPECTIVE JUROR: No, no.

13 THE COURT: Go ahead.

14 PROSPECTIVE JUROR: Before I was born, my
15 mom's brother and sister were both murdered,
16 different times, but I wasn't even around during
17 that, so ...

18 THE COURT: Right. But someone was charged
19 with that?

20 PROSPECTIVE JUROR: Correct.

21 THE COURT: Do you know what happened in that
22 case?

23 PROSPECTIVE JUROR: It was two different
24 cases. Her brother was killed in Florida and then
25 her sister was killed locally. I don't know too

1 much about her brother's case, though. But her
2 sister, I don't know where the guy's locked up at,
3 but he's serving life.

4 THE COURT: Anything about that, if you wound
5 up on this jury, anything about that affect your
6 ability to be fair?

7 PROSPECTIVE JUROR: Absolutely not.

8 THE COURT: And you also raised an issue
9 about the location of this trial.

10 PROSPECTIVE JUROR: Uh-huh.

11 THE COURT: And the difficulty of getting
12 here. Would you explain that to me?

13 PROSPECTIVE JUROR: Well, when I received a
14 letter in the mail it was tampered with, so I really
15 didn't -- I didn't know if I should take it serious
16 or not. So a lot of things I put to be dismissed
17 were just, you know -- but my dad changed his hours
18 recently, so he is home with my mom now in the
19 morning because my mom is disabled.

20 THE COURT: So it's not possible?

21 PROSPECTIVE JUROR: No, it is.

22 THE COURT: It is possible.

23 PROSPECTIVE JUROR: It is. It's a very quick
24 train ride, so

25 THE COURT: Okay. That's what I wanted to

1 know. Thank you.

2 (The following proceedings were had in open
3 court:)

4 THE COURT: That's it.

5 (Prospective juror exited the courtroom, and the
6 following proceedings were had herein:)

7 THE COURT: Is 198 here?

8 (Brief pause).

9 (Prospective juror entered the courtroom, and
10 the following proceedings were had herein:)

11 THE COURT: Hello, 198.

12 PROSPECTIVE JUROR: Hello, there.

13 THE COURT: What do you do for a living?

14 PROSPECTIVE JUROR: I work for a healthcare
15 services corporation. I'm project coordinator for
16 the underwriting division.

17 THE COURT: For the underwriting division?

18 PROSPECTIVE JUROR: Uh-huh.

19 THE COURT: And you're a college graduate in
20 political science?

21 PROSPECTIVE JUROR: That's correct.

22 THE COURT: And how long have you worked for
23 this particular place?

24 PROSPECTIVE JUROR: 30 years.

25 THE COURT: Do you like the work?

1 PROSPECTIVE JUROR: I do. It's a good
2 company.

3 THE COURT: What?

4 PROSPECTIVE JUROR: It's a good company.

5 THE COURT: And at sometime in your positions
6 with this company you did supervise a fair number of
7 people.

8 PROSPECTIVE JUROR: That's correct.

9 THE COURT: But you don't do that now.

10 PROSPECTIVE JUROR: Correct.

11 THE COURT: What does your husband do?

12 PROSPECTIVE JUROR: He is an evaluation
13 consultant for a company here in the city.

14 THE COURT: What does he value?

15 PROSPECTIVE JUROR: Businesses, if they were
16 possibly looking to buy other entities or the cost
17 of the business.

18 THE COURT: Is he an employee of the firm?

19 PROSPECTIVE JUROR: Yes.

20 THE COURT: Okay. Three kids, the youngest
21 is 13?

22 PROSPECTIVE JUROR: Correct.

23 THE COURT: You had a real estate license but
24 you never used it?

25 PROSPECTIVE JUROR: That's correct.

1 THE COURT: Is it sort of a pain in the neck
2 to study for an exam and never use it?

3 PROSPECTIVE JUROR: It was something I always
4 wanted to do because I was interested in it and I
5 thought I might pursue it at sometime, but my
6 full-time job was more lucrative at the time.

7 THE COURT: Right. The only reason you ever
8 hired a lawyer was for house purchases?

9 PROSPECTIVE JUROR: Correct.

10 THE COURT: What do you belong to, if
11 anything?

12 PROSPECTIVE JUROR: I'm sorry, any kind of?

13 THE COURT: It ranges all the way from a
14 garden club on the block to the largest organization
15 in the world, everything in between, it doesn't
16 matter what type it is, do you belong to anything?

17 PROSPECTIVE JUROR: Ah --

18 THE COURT: How about the church?

19 PROSPECTIVE JUROR: The church, the
20 neighborhood civic association, that's about it.

21 THE COURT: In fact, it says here that you
22 were copresident of the civic association.

23 PROSPECTIVE JUROR: Correct.

24 THE COURT: High paying job?

25 PROSPECTIVE JUROR: Strictly volunteer.

1 THE COURT: And your hobbies, roughly stated,
2 you are dictated by what your children do.

3 PROSPECTIVE JUROR: Absolutely.

4 THE COURT: What's your principal source of
5 news?

6 PROSPECTIVE JUROR: I'd say mostly the
7 Chicago Tribune and 10:00 o'clock news, if I happen
8 to be around at 10:00 o'clock and the TV is on.

9 THE COURT: Are you a dedicated news
10 consumer?

11 PROSPECTIVE JUROR: If by "dedicated" it's
12 what I can read in the mornings before heading off
13 to work and taking my kids to school.

14 THE COURT: Yes. That's what it is?

15 PROSPECTIVE JUROR: Yes.

16 THE COURT: But you did see some coverage of
17 the prior proceedings in this case, is that right?

18 PROSPECTIVE JUROR: Absolutely.

19 THE COURT: And there's some stuff you
20 remember.

21 PROSPECTIVE JUROR: Yes.

22 THE COURT: And there's some opinions you
23 formed at the time.

24 PROSPECTIVE JUROR: Correct.

25 THE COURT: The rule is very simple to state,

1 but sometimes it's not so easy to follow. The rule
2 is, you can remember what you read and you can even
3 have an opinion, the only thing you're required to
4 do is to keep them out of the decision process in
5 the case. In other words, you have to put whatever
6 opinion you had aside and start fresh and anything
7 you heard or read you have to put off to one side.
8 Sometimes the way people talk about it is, there are
9 some scales of justice, and you have seen pictures
10 of it many times, what you then have to do is when
11 you decide the case the only things you can put on
12 the scales are the stuff you heard in the courtroom
13 and the stuff you heard from the witness stand. In
14 fact, to be perfectly precise what you can put on
15 the scales is the evidence that is admitted in trial
16 and only that. Now, the question is can you do
17 that, do you think you're capable of doing that?

18 PROSPECTIVE JUROR: I did respond to yes, in
19 my questionnaire.

20 THE COURT: Okay. And your answer is still
21 yes?

22 PROSPECTIVE JUROR: Yes, it is.

23 THE COURT: And not only could you do it,
24 will you do it?

25 PROSPECTIVE JUROR: Yes.

1 THE COURT: Thanks.

2 (Prospective juror exited the courtroom, and the
3 following proceedings were had herein:)

4 THE COURT: We may have somebody missing.
5 Let's see.

6 (Brief pause).

7 THE COURT: She's here.

8 Okay. Good.

9 (Prospective juror entered the courtroom, and
10 the following proceedings were had herein:)

11 THE COURT: 199?

12 PROSPECTIVE JUROR: Yes.

13 THE COURT: What do you do for a living?

14 PROSPECTIVE JUROR: I'm a receptionist.

15 THE COURT: How long have you been doing that
16 work?

17 PROSPECTIVE JUROR: 11 years.

18 THE COURT: 11 years at the same place?

19 PROSPECTIVE JUROR: Yes.

20 THE COURT: Did you start out doing the same
21 work or did it change as time went on?

22 PROSPECTIVE JUROR: I started out as a
23 receptionist, so I'm now an office assistant or
24 office manager.

25 THE COURT: What does your husband do?

:48PM

:49PM

:49PM

:49PM

1 PROSPECTIVE JUROR: He's a software
2 developer.

3 THE COURT: And the question is, have you or
4 anyone close to you ever owned a business, the
5 answer is yes. Who is that?

6 PROSPECTIVE JUROR: My husband and myself.

7 THE COURT: Okay. What kind of restaurant?

8 PROSPECTIVE JUROR: We didn't own a
9 restaurant. Just he did computer-type work. My
10 brother owns the restaurant.

11 THE COURT: It's your brother who has the
12 restaurant.

13 Now, you went into Chapter 13?

14 PROSPECTIVE JUROR: Yes.

15 THE COURT: How long have you been in it?

16 PROSPECTIVE JUROR: A few months.

17 THE COURT: How's it working?

18 PROSPECTIVE JUROR: Well, it won't be working
19 very well if I have to serve on a jury.

20 THE COURT: But how's it working now?

21 PROSPECTIVE JUROR: It's okay.

22 THE COURT: You have a relative or close
23 friend who works for the State of Illinois?

24 PROSPECTIVE JUROR: My brother-in-law.

25 THE COURT: And what kind of work does he do?

1 PROSPECTIVE JUROR: He works on the tollway,
2 heavy equipment operator.

3 THE COURT: Have you been satisfied with the
4 bankruptcy attorney?

5 PROSPECTIVE JUROR: Sure.

6 THE COURT: The age of your children?

7 PROSPECTIVE JUROR: 10 and 14.

8 THE COURT: Do you belong to anything?

9 PROSPECTIVE JUROR: I'm sorry?

10 THE COURT: Do you belong to any kind of
11 group, club, organization?

12 PROSPECTIVE JUROR: PTO, church.

13 THE COURT: And you've contributed money to a
14 political party, is that correct?

15 PROSPECTIVE JUROR: Yes.

16 THE COURT: Large, small, medium?

17 PROSPECTIVE JUROR: Small.

18 THE COURT: Often or once in a while?

19 PROSPECTIVE JUROR: Once in a while.

20 THE COURT: Most important source of news for
21 you, you said it would be the Internet?

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: And what do you do at the
24 Internet?

25 PROSPECTIVE JUROR: I check different news

1 sites.

2 THE COURT: How much time a day do you spend
3 doing that?

4 PROSPECTIVE JUROR: 20 minutes.

5 THE COURT: The one thing I do want to tell
6 you is, I will consider the financial hardship
7 deferral, but you got to send me paper.

8 PROSPECTIVE JUROR: I brought a letter from
9 my employer.

10 THE COURT: Even better. Well, it's not just
11 that, you also have to send me stuff, whatever plan
12 there is, and I'll make a decision based on that.
13 This does not necessarily mean I'm going to grant
14 it, but if you give me the paper, that will work.
15 Okay?

16 PROSPECTIVE JUROR: Yes.

17 THE COURT: Thanks.

18 (Prospective juror exited the courtroom, and the
19 following proceedings were had herein:)

20 (Brief pause).

21 (Prospective juror entered the courtroom, and
22 the following proceedings were had herein:)

23 THE COURT: You're number 200?

24 PROSPECTIVE JUROR: I am.

25 THE COURT: What do you do for a living?

:52PM

:53PM

:53PM

:54PM

1 PROSPECTIVE JUROR: I sell real estate.

2 THE COURT: How long have you done that?

3 PROSPECTIVE JUROR: 19 years.

4 THE COURT: Have you done that with more than
5 one agency?

6 PROSPECTIVE JUROR: Three, in total.

7 THE COURT: And it's mostly in DuPage County?

8 PROSPECTIVE JUROR: Yes.

9 THE COURT: Two kids, 12 and 16?

10 PROSPECTIVE JUROR: Yes.

11 THE COURT: How's business?

12 PROSPECTIVE JUROR: Not very good.

13 THE COURT: For how long has it been not very
14 good?

15 PROSPECTIVE JUROR: For me, probably about
16 4 years.

17 THE COURT: You indicate that there was
18 either an arrest or conviction, what was that?

19 PROSPECTIVE JUROR: I had a DUI 17 years ago,
20 18 years ago. I think it was in '92.

21 THE COURT: And what was the disposition of
22 it? what did the judge make you do?

23 PROSPECTIVE JUROR: I had to do classes and I
24 had a suspension with a driver permit for an amount
25 of time. I don't really remember exactly, but,

1 yeah, just --

2 THE COURT: Okay. But I'm assuming you got
3 your license back?

4 PROSPECTIVE JUROR: Yes.

5 THE COURT: And you had to charge someone
6 with a domestic assault, is that correct?

7 PROSPECTIVE JUROR: I did.

8 THE COURT: And that's still pending?

9 PROSPECTIVE JUROR: It is.

10 THE COURT: And then you also had a suit and
11 you got a small settlement for that?

12 PROSPECTIVE JUROR: Yeah.

13 THE COURT: That was a long time ago?

14 PROSPECTIVE JUROR: 25 years ago or more,
15 yeah.

16 THE COURT: Do you remember feeling satisfied
17 with the settlement, outraged with the settlement,
18 or somewhere in between?

19 PROSPECTIVE JUROR: It never went to court,
20 it wasn't anything like that. It was just a small
21 homeowner's claim where they picked out medical and
22 gave me a small -- it never went to court or
23 anything. It was it an insurance --

24 THE COURT: Were you satisfied with the
25 settlement?

1 PROSPECTIVE JUROR: Sure. Yeah.

2 THE COURT: And you had a lawyer for various
3 things associated with dissolution of a marriage, is
4 that correct?

5 PROSPECTIVE JUROR: Yes.

6 THE COURT: And child stuff a and everything
7 else?

8 PROSPECTIVE JUROR: Yeah, custody and
9 divorce.

10 THE COURT: Is any of that still pending?

11 PROSPECTIVE JUROR: I would say yes, there's
12 open stuff still in the courts right now.

13 THE COURT: Important open stuff or just
14 cleanup things?

15 PROSPECTIVE JUROR: We'd go in and out about
16 every few years.

17 THE COURT: Okay.

18 PROSPECTIVE JUROR: I mean, it's kind of
19 standard with my ex-husband. We've been doing this
20 for 12 years.

21 THE COURT: And with respect to child
22 custody, you testified in a proceeding?

23 PROSPECTIVE JUROR: Yes.

24 THE COURT: And you refer to the experience
25 of testifying as not pleasant.

1 PROSPECTIVE JUROR: It was a custody battle
2 for my children away from my ex-husband, so it was,
3 obviously, not where I wanted to be, but I probably
4 only answered a handful of questions and he ended up
5 backing down because he didn't want to take the
6 stand, so it was actually pretty short-lived.

7 THE COURT: But not pleasant is the worst
8 thing you can say about him?

9 PROSPECTIVE JUROR: (No response.)

10 THE COURT: The reason I ask is is you fall
11 into the class of people who -- let's put it this
12 way, this is the nicest thing any prospective juror
13 has said about having to testify.

14 PROSPECTIVE JUROR: You know, it was very --
15 it was our attorneys, it was one judge, my mother
16 was there, other than that, it was an empty
17 courtroom and I was in there just testifying.

18 THE COURT: And it was quick?

19 PROSPECTIVE JUROR: But I think my children
20 were best with me and that was pretty easy to
21 determine. So, yeah, I was actually looking forward
22 to getting up and telling what I needed to tell
23 them, make sure of my kids, and I had sole custody
24 of my children, yes.

25 THE COURT: And you occasionally have to deal

1 with local police officers with the same kind of
2 matters?

3 PROSPECTIVE JUROR: With my ex-husband, yes.

4 THE COURT: Do you belong to anything other
5 than professional organizations?

6 PROSPECTIVE JUROR: Not professional groups,
7 no.

8 THE COURT: Other than professional groups?

9 PROSPECTIVE JUROR: Oh, other than -- I mean,
10 the Y.

11 THE COURT: Okay. I take it you really don't
12 know much about politics and how it works?

13 PROSPECTIVE JUROR: No, it's kind of
14 embarrassing when I was filling that out, but it's
15 true.

16 THE COURT: Your hobbies are sports
17 activities, gardening, reading, and boating?

18 PROSPECTIVE JUROR: Yes.

19 THE COURT: Which ranks number 1?

20 PROSPECTIVE JUROR: Well, probably the sports
21 because of my kids. We spend -- I spend probably 3
22 to 4 nights a week. My son does sports, so we do a
23 lot of sports in the house.

24 THE COURT: Where do you get your news from?

25 PROSPECTIVE JUROR: I do watch the Today Show

1 on Channel 5:00 in the morning. It's usually on
2 while I'm getting ready and doing stuff. And other
3 than that, my extensive reading, other than my
4 books, is People magazine.

:01PM

5 THE COURT: So you don't have to know what's
6 happening in Libya every day?

7 PROSPECTIVE JUROR: I could not tell you.

:01PM

8 THE COURT: Okay. And you did get some news
9 about prior proceedings in this case, is that
10 correct?

11 PROSPECTIVE JUROR: Yes. Very little, but
12 yes. And I think it was almost impossible not to
13 hear a little bit here and there.

14 THE COURT: But you don't remember much?

:01PM

15 PROSPECTIVE JUROR: No, I would say the only
16 thing I really can say that I know is something
17 about possibly selling our President's current
18 senate seat.

19 THE COURT: Okay.

:02PM

20 PROSPECTIVE JUROR: And that was, I think, it
21 was only because it was so talked about because of
22 the election and everything.

23 THE COURT: But that's the only thing you
24 remember?

:02PM

25 PROSPECTIVE JUROR: I couldn't tell you

1 another count.

2 THE COURT: Okay. And that's fine, because
3 you're supposed to decide this case based solely on
4 the evidence that you hear from the witness stand
5 and some documents you get and a bunch of other
6 things. So the less you remember, the better and
7 you start out, basically, with an open mind, that's
8 what your duty is, do you understand that?

9 PROSPECTIVE JUROR: I do.

10 THE COURT: The problem is is sometimes when
11 you hear the evidence, it reminds you of something
12 else you heard, something that you don't recall
13 today but then somebody testifies to something and
14 you remember that this was covered in the papers and
15 on television. What's important when that happens
16 is that you do not consider that in evidence, it's
17 not a part of your process in reaching a verdict,
18 that's what's important. And we don't ask you to
19 forget it, we just ask you to put it to one side and
20 leave it out of your decision process, do you think
21 you'd be able to do that?

22 PROSPECTIVE JUROR: I do. I really hate
23 to -- I really know nothing about it. I mean, you
24 catch a blurb. I never read anything, I never
25 watched, I never followed any of the trials. I

1 really honestly don't know any specifics, any
2 details. I've never read them, so I don't even --
3 I don't even think that they'll come into my head.

4 THE COURT: Okay. Thank you.

5 (Prospective juror exited the courtroom, and the
6 following proceedings were had herein:)

7 (Brief pause).

8 (Prospective juror entered the courtroom, and
9 the following proceedings were had herein:)

10 THE COURT: Hello, 201.

11 PROSPECTIVE JUROR: Hello.

12 THE COURT: What do you do for a living?

13 PROSPECTIVE JUROR: I work for a plastic
14 company as a plastic and molding technician.

15 THE COURT: How long have you done that work?

16 PROSPECTIVE JUROR: I've done that for close
17 to maybe, like, 20 years or more.

18 THE COURT: But the company you do that for
19 now you've been for less than 20 years?

20 PROSPECTIVE JUROR: Yeah, for this company --
21 I was unemployed for 2 years and it's been about a
22 year and 2 months with this company that I'm working
23 for right now. I feel lucky that they made me
24 permanent, so it's great to be back in the work
25 force.

1 THE COURT: What does your wife do?

2 PROSPECTIVE JUROR: My wife works for a fish
3 company where they package fish -- they pack fish,
4 actually, in jars, with vinegar and sour cream, and
5 stuff like that; cultured fish.

6 THE COURT: How long has she worked for them?

7 PROSPECTIVE JUROR: She's worked for them for
8 10 years. She's still working there.

9 THE COURT: Okay. Just out of curiosity, do
10 you and your wife eat a lot of that kind of fish?

11 PROSPECTIVE JUROR: Once in a while, yeah, my
12 wife prepares some. They give her some salmon, some
13 big pieces of salmon, so sometimes she brings it
14 home and she prepares it with some spices and it's
15 real good. Real healthy food.

16 THE COURT: You have two children, the
17 youngest is 18?

18 PROSPECTIVE JUROR: Well, I have four
19 children. Yeah, my youngest is 18 years old, a
20 daughter.

21 THE COURT: Who do you know served in the
22 Marine Corps?

23 PROSPECTIVE JUROR: I have a son that was a
24 Marine for 5 years.

25 THE COURT: And how old is that son?

1 PROSPECTIVE JUROR: He's, like, 22 years old
2 right now. He went to the Marines and came back.
3 They sent him to Japan and came back married.

4 THE COURT: How long ago was the crime
5 against your mother?

6 PROSPECTIVE JUROR: It was like in '69.

7 THE COURT: A long time?

8 PROSPECTIVE JUROR: A long time, uh-huh.

9 THE COURT: And you hired a lawyer because
10 you wanted to evict someone who was renting property
11 from you?

12 PROSPECTIVE JUROR: Yes; a person didn't pay
13 their rent for, like, 3 months and I had no choice
14 but to evict the person.

15 THE COURT: Was that the case where you
16 testified, on the eviction case?

17 PROSPECTIVE JUROR: Yes.

18 THE COURT: And you won your case?

19 PROSPECTIVE JUROR: Yes, I did.

20 THE COURT: And you live in a neighborhood
21 where people leave a lot of stolen cars?

22 PROSPECTIVE JUROR: Used to, now it's real
23 good. It was in the old days.

24 THE COURT: Yeah.

25 PROSPECTIVE JUROR: They used to actually

1 blow a light and park the cars, and at night take
2 them apart.

3 THE COURT: This physical problem you have
4 that you referred to twice, is this a continuing
5 problem?

6 PROSPECTIVE JUROR: Right now, I've been
7 having that problem right now. I guess maybe
8 because I'm diabetic and my sugar has been out of
9 control, so that's one of reasons right now I'm
10 having that problem.

11 THE COURT: Have you sought medical treatment
12 for it?

13 PROSPECTIVE JUROR: The doctor said to make
14 an appointment. I have a card that I got to call
15 the doctor to make an appointment, but he's always
16 pretty busy, so I haven't been able to get in
17 contact lately.

18 THE COURT: Is this a new problem for you,
19 something you haven't had before?

20 PROSPECTIVE JUROR: This is a new problem,
21 uh-huh.

22 THE COURT: Okay. Do you have any hobbies,
23 things you like to do?

24 PROSPECTIVE JUROR: I like helping people,
25 that's one thing, I respect everybody. I like

1 fixing things, especially cars, and even things
2 around the house. So I like to see when you fix
3 something, that it's working right, so it makes me
4 happy to do something that is working.

:10PM

5 THE COURT: You donated to Children's
6 Memorial Hospital?

7 PROSPECTIVE JUROR: Yes, I donated to
8 Children's Memorial Hospital and also sometimes to
9 the firefighters and also to the police.

:10PM

10 THE COURT: Children's Memorial Hospital,
11 your daughter had a serious illness and she was
12 cured there?

13 PROSPECTIVE JUROR: Yes, she was. Uh-huh.

:10PM

14 THE COURT: Did you pay much attention to
15 this case?

16 PROSPECTIVE JUROR: No. No, I don't.

:11PM

17 THE COURT: Would you be able to decide this
18 case solely on the basis of the evidence you hear
19 from the witness stand and not consider anything you
20 might have heard about the case?

21 PROSPECTIVE JUROR: Yes, I would.

22 THE COURT: Thank you.

:11PM

23 PROSPECTIVE JUROR: You're welcome.
24 Thank you very much everybody for hearing me
25 out.

1 (Prospective juror exited the courtroom, and the
2 following proceedings were had herein:)

3 (Brief pause).

4 (Prospective juror entered the courtroom, and
5 the following proceedings were had herein:)

6 THE COURT: You're 202?

7 PROSPECTIVE JUROR: Yes.

8 THE COURT: What do you do for a living?

9 PROSPECTIVE JUROR: I'm retired a software
10 deployment manager from a telecommunications
11 company.

12 THE COURT: And what are you doing now?

13 PROSPECTIVE JUROR: Pet City, I have a
14 personal business that I put on the form 2 years but
15 actually it's three but the first year was kind of a
16 hobby type of thing. And it's very critical to keep
17 my head above water. I'm the sole income coming
18 into the home. And right now, since March 6th, a
19 lot of things have been in jeopardy with it. I
20 can't work, this is my prime season, I bring pets
21 into my home, I don't know what I'm going to be
22 doing, and I'm losing customers, and it's just been
23 a very difficult time and I need this business.
24 And, actually, it's upon this third year, it's
25 really blossoming. I have 29 part-timers and I have

1 5 full-time, Monday through Friday, which I do all
2 myself. And today I have a volunteer and last
3 Wednesday I have a volunteer, and that was difficult
4 because people -- I put up out bio, I went and
5 talked to all the families, some were not very happy
6 with it and some are. And I -- I just can't be gone
7 this long.

8 THE COURT: You said that you worked for one
9 company for almost 33 years?

10 PROSPECTIVE JUROR: 32 years and 9 months.

11 THE COURT: Right. And then you said it was
12 a forced retirement?

13 PROSPECTIVE JUROR: Yeah. Basically, laid
14 off due to problem with CEO and economy.

15 THE COURT: But did they layoff a lot of
16 people?

17 PROSPECTIVE JUROR: Yeah.

18 THE COURT: And you had a problem with the
19 401 K?

20 PROSPECTIVE JUROR: Absolutely.

21 THE COURT: What was that problem?

22 PROSPECTIVE JUROR: I lost just about all of
23 it. I had 45,000 in severance that I rolled into
24 401's so I wouldn't get taxed on it. That's gone,
25 everything is gone, and it's just like crawling back

1 now. But I have no retirement money, I have
2 upside-down houses like everybody else.

3 I mean, it's taken me this long to start
4 crawling back and seeing some progress, and I found
5 something that people really respect me and
6 appreciate and I love doing, and it's just starting
7 to grow now and then this pops up.

8 THE COURT: Understood.

9 PROSPECTIVE JUROR: And I need this money. I
10 mean, I've got property taxes due, I've got --

11 THE COURT: Let me ask you a couple of
12 questions. Tell me about the business.

13 PROSPECTIVE JUROR: The pet sitting business?

14 THE COURT: Yeah.

15 PROSPECTIVE JUROR: I go into people's homes
16 midday, which I call full-time Monday through
17 Friday. It's whatever they need, whatever they
18 want, within a certain period. I have what I call
19 part-time, which I've had to put off calls for right
20 now, that's your spring and your summer and
21 weekends, holidays or vacations, that people need
22 you. And then I also take pets into my home, one
23 pet family at a time, because I have a pet too. And
24 I wouldn't be able to bring any pets into my home,
25 that's where I make the most money.

1 THE COURT: And what do you charge people for
2 their service?

3 PROSPECTIVE JUROR: well, it varies. It
4 depends, if they have extra pets, extra animals.

5 THE COURT: If it's one animal, what do you
6 charge, one dog?

7 PROSPECTIVE JUROR: Okay, \$16 a visit. If
8 they're in my house, it's like the same as three
9 visits a day if you're going on vacation. So it's
10 like \$48 for 24 hours, and that's how I make the
11 money, because I have my regular rounds --

12 THE COURT: Let me ask the questions.
13 what do the part-timers do?

14 PROSPECTIVE JUROR: You mean what do I do for
15 the part-timers?

16 THE COURT: what does the part-time part of
17 it.

18 PROSPECTIVE JUROR: Okay, when people just
19 call. They're not every day, like I do them every
20 day Monday through Friday, it's they call in and say
21 they're going to be gone for a few days or they're
22 going to be on vacation, that's what I call
23 part-time.

24 THE COURT: And what do you do with the dog?

25 PROSPECTIVE JUROR: whatever the customer

1 wants. Everybody is individual and everybody has
2 unique.

3 THE COURT: What might a customer want?

4 PROSPECTIVE JUROR: They might want a special
5 walk. I have a pet that's got bladder stones that
6 he's got to be walked far. It's -- every family is
7 different. I go out and interview them, they
8 interview me.

9 THE COURT: And how many of these things
10 would you do in a single day?

11 PROSPECTIVE JUROR: It depends. People call
12 and cancel.

13 THE COURT: Your busiest day, how many would
14 you do?

15 PROSPECTIVE JUROR: 6 to 8.

16 THE COURT: And how much would you charge for
17 that? How much would you get for that day?

18 PROSPECTIVE JUROR: well, \$15 per -- \$15 per
19 household.

20 THE COURT: So you make maybe \$90 that day?

21 PROSPECTIVE JUROR: (Nodding).

22 THE COURT: Now, are you the only one who
23 does this work?

24 PROSPECTIVE JUROR: Yes.

25 THE COURT: And how long ago did you start

1 this business?

2 PROSPECTIVE JUROR: 2 years trying to get it
3 to blossom, 1 year prior was kind of hobbying, see
4 how it was going to work out, if I could get
5 customers, or whatever, then I started pounding the
6 pavement, putting out fliers, going to vets. Each
7 year it got better.

8 THE COURT: Wait, wait a second. The way you
9 generated business is you put out a lot of fliers,
10 that was one thing you did?

11 PROSPECTIVE JUROR: Uh-huh.

12 THE COURT: And the other thing is you went
13 to veterinarians and said that this is a service
14 that we have?

15 PROSPECTIVE JUROR: Yes, that I have.

16 THE COURT: And you sort of tested it for
17 about a year?

18 PROSPECTIVE JUROR: (Nodding).

19 THE COURT: And where were you at the end of
20 the first year? How many customers did you have?

21 PROSPECTIVE JUROR: I don't even know because
22 it was like they just -- you know, they cancel, they
23 call, they inquire. I really don't know.

24 THE COURT: And how many customers do you
25 have now?

1 PROSPECTIVE JUROR: I have 29 part-time, what
2 I call part-time, and I have 5 full-time, full-time
3 is Monday through Friday, I do them every day.

4 THE COURT: And when it's a full-time, what
5 do you do?

6 PROSPECTIVE JUROR: I go to their house, take
7 them out.

8 THE COURT: Take the dog out?

9 PROSPECTIVE JUROR: Yeah.

10 THE COURT: Let's talk just about a dog, one
11 dog.

12 PROSPECTIVE JUROR: Yes, take them for their
13 walk, and their business, or if they need pills.
14 It's whatever in the interview that the customer
15 wants.

16 THE COURT: Right. And then you take the dog
17 back to the house?

18 PROSPECTIVE JUROR: (Nodding).

19 THE COURT: And did I also understand that
20 you board some animals in your own house?

21 PROSPECTIVE JUROR: Not really boarding. I
22 take in one pet family at a time. In other words,
23 you know, I'm not a kennel, but I have a pub myself
24 and I'll take in small dog, one pet family at a
25 time. If somebody else calls up, I can't.

1 THE COURT: I'm willing to consider your
2 claim for financial hardship, but what you have to
3 do is you have to give me some numbers, you have to
4 give me a financial statement of some kind of. You
5 don't necessarily have to come down here to do that,
6 you can fax it to us, and they'll give you some
7 information how to do it and I will consider it and
8 we'll do it take way; okay?

9 PROSPECTIVE JUROR: What I do I --

10 THE COURT: Talk to people outside, they'll
11 tell you what to send to me and where to send it,
12 and you'll have to do it pretty soon.

13 Thanks.

14 PROSPECTIVE JUROR: Thank you.

15 (Prospective juror exited the courtroom, and the
16 following proceedings were had herein:)
17 (Brief pause).

18 THE COURT: THE COURT: 204.

19 (Prospective juror entered the courtroom, and
20 the following proceedings were had herein:)

21 THE COURT: You're number 204?

22 PROSPECTIVE JUROR: Yes, I am.

23 THE COURT: It's only a temporary name
24 change.

25 PROSPECTIVE JUROR: It's okay.

1 THE COURT: What do you do for a living?

2 PROSPECTIVE JUROR: I'm retired.

3 THE COURT: What did you do for a living?

4 PROSPECTIVE JUROR: I was a printer,

:22PM

5 lithographer.

6 THE COURT: For how long?

7 PROSPECTIVE JUROR: 38 years.

8 THE COURT: Do you miss it?

9 PROSPECTIVE JUROR: No.

:22PM

10 THE COURT: You worked for a printing press?

11 PROSPECTIVE JUROR: Uh-huh.

12 THE COURT: Is that what you started with
13 when you started the business?

14 PROSPECTIVE JUROR: Actually, no, I started
15 Rotar Revere, that was much bigger.

:22PM

16 THE COURT: Yeah. And have you ever had any
17 other jobs other than lithography?

18 PROSPECTIVE JUROR: I was a fireman for 2 and
19 a half years--excuse me--then I worked 5 years in
20 psychiatric healthcare.

:23PM

21 THE COURT: And what did -- that was at
22 Alexian Brothers?

23 PROSPECTIVE JUROR: Yes.

24 THE COURT: What did you do for them?

:23PM

25 PROSPECTIVE JUROR: Basically patient

1 transport, but I worked on the units and was trained
2 in crisis intervention. So I was, literally, with
3 the patients.

4 THE COURT: You have 4 children, the youngest
5 is 33?

6 PROSPECTIVE JUROR: Yes.

7 THE COURT: Now that you've retired, what do
8 you do?

9 PROSPECTIVE JUROR: Enjoy it.

10 THE COURT: And how do you do that?

11 PROSPECTIVE JUROR: Computer work.

12 THE COURT: Computer work.

13 PROSPECTIVE JUROR: I like doing computer
14 database programming, but I like the easier pace.

15 THE COURT: You were asked if you were
16 arrested or convicted of a crime and you say you
17 were arrested and you list the offense here. This
18 happened a long time ago?

19 PROSPECTIVE JUROR: 44 years ago.

20 THE COURT: So you're not exactly quite clear
21 on what happened?

22 PROSPECTIVE JUROR: I don't know the
23 resolution.

24 THE COURT: Okay. And that's the only
25 arrest?

1 PROSPECTIVE JUROR: That's it.

2 THE COURT: Okay. You had a lawyer for a
3 divorce?

4 PROSPECTIVE JUROR: Excuse me?

5 THE COURT: You had a lawyer for a divorce?

6 PROSPECTIVE JUROR: Yes.

7 THE COURT: Was it contested or was it agreed
8 to?

9 PROSPECTIVE JUROR: It was agreed to.

10 THE COURT: Satisfied with the lawyer's work?

11 PROSPECTIVE JUROR: well --

12 THE COURT: You don't have to be.

13 PROSPECTIVE JUROR: The lawyer was fine.

14 THE COURT: Right. You testified, at a
15 hearing.

16 PROSPECTIVE JUROR: It was, I think they call
17 it, a prove-up. I said yes 16 times, and no twice,
18 and she wasn't even there.

19 THE COURT: Okay. Where do you get your news
20 from, if you do get news?

21 PROSPECTIVE JUROR: Sometimes seeing the
22 evening news, Channel 5. But even on news, it's
23 probably a half hour show and only about 6 minutes
24 of news, the rest is fluff.

25 THE COURT: Is it safe to say you don't watch

1 or read a lot of news in a day?

2 PROSPECTIVE JUROR: Not at all.

3 THE COURT: Okay.

4 PROSPECTIVE JUROR: I printed this stuff all
5 my life, I really don't need to look at it anymore.

6 THE COURT: Right.

7 You were treated at Children's Memorial
8 Hospital?

9 PROSPECTIVE JUROR: Yes.

10 THE COURT: Quite a long time ago?

11 PROSPECTIVE JUROR: I was 3 years old.

12 THE COURT: You said you saw something, you
13 said you attended with moderate coverage to the
14 prior proceedings in this case.

15 PROSPECTIVE JUROR: Excuse me? I'm sorry.

16 THE COURT: You said that you watched, at
17 least to a moderate level, some of the news reports
18 of the prior proceeding.

19 PROSPECTIVE JUROR: I seen bits and pieces of
20 it.

21 THE COURT: If you served on a jury in this
22 case, would you be able to decide this case solely
23 on the basis of the evidence you hear from the
24 witness stand and the stuff that is admissible?

25 PROSPECTIVE JUROR: Yes.

1 THE COURT: You may have forgotten a lot of
2 what you heard or read before, but sometimes some of
3 the evidence you hear will remind you of something
4 you heard or read before. The rule is that when you
5 weigh that evidence, you have to leave it out of the
6 process everything that you remember having heard or
7 read before, do you think you'll be able to do that?

8 PROSPECTIVE JUROR: Yes.

9 THE COURT: You do say that you would not
10 like having your name published at the end of the
11 trial and you don't want media attention and you
12 would prefer not to serve on this case, and you are
13 expressing your view, is that correct?

14 PROSPECTIVE JUROR: Well, I don't care for
15 the idea of the media frenzy. Although, I'm sure
16 there's nothing I can do about it or that you can do
17 about it, it's just that way.

18 THE COURT: Believe me, I understand that,
19 but the question is, would the fact that your name
20 might be released make it impossible for you to be a
21 fair juror?

22 PROSPECTIVE JUROR: No.

23 THE COURT: Okay. Thank you.

24 (Prospective juror exited the courtroom, and the
25 following proceedings were had herein:)

1 (Brief pause).

2 THE COURT: Counsel, approach the lectern.

3 (Brief pause).

4 THE COURT: Since they're still here, you can
5 do challenges for cause now. What I propose to do
6 is, these challenges for cause -- did we do them for
7 the previous group yet?

8 MR. SCHAR: No.

9 THE COURT: I propose that we do challenges
10 for cause and then we go over our lists so that we
11 have an agreed-upon number of those who remain
12 unchallenged as of this date.

13 We have for tomorrow -- is it 15, Mr. Walker?

14 THE CLERK: Yes, I think that is.

15 THE COURT: More or less?

16 THE CLERK: More or less.

17 THE COURT: We have 15 more or less jurors
18 coming in for tomorrow, which is the last of the
19 special panel, and it would be useful for us to know
20 how many jurors we need, if any, which is why we're
21 doing these challenges for cause now.

22 We are also ordering in for tomorrow the
23 jurors from the ordinary petit jury call who
24 indicated that they would be willing to serve for 10
25 to 12 weeks, so they will be doing their

1 questionnaires tomorrow. It may turn out that we
2 don't need them, but they will, at least, be ready
3 for this.

4 So let's do challenges for cause now. What
5 we're doing now is 191 through 204.

6 MR. SOROSKY: Your Honor, since I understand
7 it, to the best of my knowledge, we have not done
8 any of the challenges for cause today.

9 THE COURT: We're starting with 191 here
10 because they're still here.

11 MR. SOROSKY: Oh, okay.

12 THE COURT: And we will address the rest of
13 them in due course.

14 We're in the process of finding out whether I
15 have made a misstatement of fact.

16 (Brief pause)

17 MR. SOROSKY: So we're clear on numbers, it's
18 my understanding that before today --

19 THE COURT: No, no, don't do this, because we
20 are not going to be clear on numbers until we are
21 finished with this stuff.

22 MR. SOROSKY: No, I meant before today.

23 THE COURT: We're not clear until we're
24 finished with this stuff, and then we will start
25 from number 1.

1 MR. SOROSKY: Okay.

2 THE COURT: Somebody begin. You're starting
3 with 191. Anybody challenging 191?

4 MR. GOLDSTEIN: Not from the defense, Your
5 Honor.

6 MR. SCHAR: No objection.

7 THE COURT: 192?

8 MR. GOLDSTEIN: No challenge from the
9 defense, Your Honor.

10 MR. SCHAR: No, Judge.

11 THE COURT: 193?

12 MR. GOLDSTEIN: Defense --

13 THE COURT: The queen of arbitration.

14 MR. GOLDSTEIN: Yes, defense challenges based
15 on cause, Your Honor.

16 THE COURT: The government's position?

17 MR. SCHAR: Objection, Judge. We object to
18 cause.

19 THE COURT: Grounds?

20 MR. GOLDSTEIN: Your Honor, although she said
21 it seemed to be working better, she is an individual
22 that is extremely busy and relied heavy upon as far
23 as her work.

24 But as far as bias, she throughout,
25 throughout her questionnaire, she indicated that "I

1 think he's guilty," said it more than once I
2 believe, and then went ahead and said "well, I don't
3 think I can judge another human," that, to me, is
4 just not being entirely honest, Your Honor. On the
5 one hand, she was judging throughout the
6 questionnaire, and, on the other hand, she's saying
7 she can't judge an individual.

8 And while Your Honor asked further and said
9 some things that equivocated that a bit, this is an
10 individual who's clearly biased, has a lot of work
11 issues, and is inconsistent and said nicest
12 inconsistent, more likely not being completely
13 honest with the Court, Your Honor.

14 MR. SOROSKY: I would add one thing. After
15 Your Honor did his traditional and effective
16 rehabilitation based on very biased answers, the
17 best she could say is "I think I could listen to the
18 whole trial and be open-minded." I don't think
19 that's a good enough answer considering, frankly,
20 her biased answers to questions and your very
21 effective rehabilitation.

22 She did not say, "oh, I now understand,
23 Judge, I will completely disregard. I think I could
24 listen to the whole trial and be open-minded," that
25 is not a fair standard for a juror and she should be

1 struck.

2 THE COURT: You want to speak on this?

3 MR. SCHAR: Judge, I thought you did the job
4 of getting from her that she thought she'd be a fair
5 juror.

6 THE COURT: It's actually the judging part is
7 the one that gave me pause because she was careful
8 in the comments about where he stands in the current
9 view. She doesn't say "I think he is guilty," she
10 says "from what I've heard." And it's perfectly
11 possible, given the nature of the press coverage in
12 this case, that someone could reasonably say "from
13 what I've heard," I think she understands the
14 difference between reports and actually hearing
15 evidence.

16 And even on the other thing, on question 80,
17 she doesn't say "I think he's guilty" she says "most
18 people I know think he's guilty." I think she's
19 distancing herself from this, and it's significant
20 in terms of the fact that when she fills this out,
21 she wants out, she doesn't want to be on this jury.
22 So I don't think that shows bias.

23 The judgment part, I think what she's
24 thinking of, and I think what most people think of
25 when they see this is is, when they don't want to

1 write the judge another, it's one thing to sit back
2 in your chair after watching the evening news and
3 say about some individual who's been arrested in
4 Arizona, for one reason or another, and somebody at
5 the family table says, well, I think he's guilty, or
6 things that are much worse than that. The
7 difference with the judicial process is, this is not
8 an offhand judgment, this is not a dinner table
9 conversation, this is something that's legally
10 binding, and that kind of judgment is what they're
11 talking about. And what she said is -- I was very
12 careful, I thought I was very careful, not to
13 challenge her personal feeling that no human has the
14 right to judge another. I didn't ask her about
15 that, I respected that this was her point of view
16 and it's not going to be changed, because I asked
17 her it's not a question of rights here, it's a
18 question of whether you will assume your duty as a
19 citizen to render a judgment. So I don't think
20 she's inconsistent, I don't think I backed her up,
21 and I reject the challenge for cause.

22 Number 194?

23 MR. GOLDSTEIN: Your Honor, we move for cause
24 on 194.

25 MR. SCHAR: We don't agree.

1 THE COURT: You don't agree?

2 MR. SCHAR: We do not agree.

3 THE COURT: I do agree.

4 MR. SCHAR: Actually, Judge. I just saw one
5 of the answers. We'll withdraw it.

6 THE COURT: No, I do agree. It doesn't
7 matter if you withdraw it, I do agree. This comes,
8 essentially, with the same territory, but my
9 judgment of this person is not appropriate for this
10 case.

11 195 is a no-show.

12 Give me one second.

13 (Brief pause).

14 THE COURT: Let me make sure I'm not
15 confusing this with another person.

16 (Brief pause)

17 THE COURT: This is a person who is not, as
18 is customarily with no-shows, answering a juror
19 questionnaire that bespeaks one of a variety of
20 things. We had a couple here who obviously had very
21 little command of the English language. I think
22 they didn't understand what they were filling out.
23 And we had some others which had problems which made
24 it clear that they may not have had the intelligent
25 capacity to sit as a juror. And then we had a

1 couple whose personal lives were in such a mess that
2 it was clear that they couldn't. This person is a
3 no-show, we have been told because she's in the
4 hospital. Otherwise, it's perfectly respectable
5 thing. So we're postponing this one. We might wind
6 up in exactly the same place because if there's some
7 serious condition, it's going to be gone, anyway.
8 So this one is pending.

9 Number 196, the occupational therapist.

10 MR. SOROSKY: No objection.

11 MR. SCHAR: No, Judge.

12 THE COURT: Number 97 is, I believe, the
13 fourth juror in this case, maybe the fifth, who
14 originally asked for deferral and has functionally
15 withdrawn the deferral, which is usually an
16 indication the attractiveness of the case to the
17 jury is outweighed whatever stuff there is on the
18 backside. That's not actually what they tell us,
19 it's sort of what this guy told us, you know, that
20 he thought it was something else and -- and he wrote
21 a ridiculous excuse, not that the first part is
22 ridiculous, but his underlying "I refuse,"
23 underlined, "to drive all the way downtown for
24 something of this nature," "it's too far" also
25 underlined. Now, because it's the kind of case that

1 he's willing to sit on, this has disappeared. It's
2 also disappeared for some other practical reasons,
3 but it's interesting how we do get these withdrawals
4 or fervent requests for deferment.

5 Any challenges for cause?

6 MR. GOLDSTEIN: Defense challenges.

7 MR. SCHAR: Agreed, Judge.

8 THE COURT: What a shock.

9 Number 198?

10 MR. GOLDSTEIN: Defense moves for challenge,
11 Your Honor.

12 MR. SCHAR: I don't agree, Judge.

13 THE COURT: You do not agree?

14 MR. SCHAR: Do not agree?

15 THE COURT: Why would you challenge this
16 person?

17 MR. GOLDSTEIN: Your Honor, number 78, she
18 indicated "based on what I read and the news stories
19 I heard it's my opinion that there was intent to try
20 to use the 'office' for political personal gain."

21 Your Honor questioned her and throughout much of the
22 questioning she gave affirmative answers, she
23 answered quickly and assertively, and then when Your
24 Honor asked questions as far as could you put it
25 aside or could be fair, there was a lot of

1 hesitation, there was a lot of pause. while she
2 said yes, I wouldn't call it the strongest yes, the
3 most assertive yes, and she's shown an indication
4 that she's biased and she has formed an opinion
5 against the defendant.

6 THE COURT: I think you'd have a better case,
7 and you might have one later, if she had said right
8 away. This is, obviously, an intelligent person,
9 and this stuff about can you put this off to one
10 side is maybe not as easy as people think, and I
11 think she did understand that and I believe she will
12 do it. So that one is rejected.

13 The next one 199 is the office manager. The
14 office manager doesn't matter, it has to deal with
15 the bankruptcy that she's in. She might actually
16 get out anyway on financial hardship. So my
17 inclination is to believe once I get this number,
18 she's gone anyway, so do you want to postpone this
19 one?

20 MR. SCHAR: Judge, I move for cause. She,
21 clearly, doesn't want to be here. So whether she
22 makes it on financial or not --

23 MR. GOLDSTEIN: We're in agreement.

24 THE COURT: Good decision.

25 Moving on to 200, the real estate broker, any

1 challenges for cause?

2 MR. GOLDSTEIN: No, Your Honor.

3 MR. SCHAR: Judge, we'll challenge for cause.

4 She's, obviously, in the middle of a criminal case
5 right now herself, and in addition to having been
6 the victim of a prior situation that also was
7 similar, and because of that and because we're just
8 not clear exactly where she's going to come out on
9 that, whether something happens in the middle of
10 this trial in the criminal case that might somehow
11 or another, frankly, bias her one way or the other
12 against one party, I don't think this is someone we
13 necessarily want on the jury at this time. So that
14 would be a cause challenge from us.

15 MR. GOLDSTEIN: Your Honor, we won't object
16 to their motion.

17 THE COURT: You want her out?

18 MR. GOLDSTEIN: We'll agree with that, yes,
19 Your Honor.

20 THE COURT: Okay. 201.

21 201, I didn't say this on the public record,
22 but the answer to question 8 was also his request
23 not to serve, this is his deferral excuse. And I
24 generally am not terribly sympathetic to this kind
25 of stuff because people will always raise some minor

1 condition, but he said it's new, and I think maybe
2 he ought to be excused because if he's got what he
3 says he's got, it's not going to be good. Are we on
4 the same page?

:48PM

5 MR. GOLDSTEIN: Correct.

6 MR. SCHAR: Yes, Judge.

7 THE COURT: Let's go back a second. What did
8 we do with the medical receptionist?

:49PM

9 MR. GOLDSTEIN: What number was that, Your
10 Honor?

11 THE COURT: 99. The question is, did I
12 mismark what we did.

13 MR. GOLDSTEIN: 99 was stricken by agreement.

14 MR. SOROSKY: For financial hardship.

:49PM

15 THE COURT: Yes. And we did that with 200,
16 right?

17 MR. GOLDSTEIN: Correct.

18 THE COURT: Good.

19 And we're doing that with 201?

:49PM

20 MR. GOLDSTEIN: Correct.

21 THE COURT: 202, I have no idea whether her
22 plea for not serving is legitimate or not, but after
23 listening to the dialogue, I don't think this is a
24 person who would give orderly consideration to the
25 evidence. In fact, I'm deeply concerned that she

:50PM

1 would give orderly consideration to anything. So
2 unless somebody pleads for this one, this is going
3 to be a challenge for cause.

4 MR. GOLDSTEIN: No objection.

5 MR. SCHAR: No objection, Judge.

6 THE COURT: 203, who was a no-show, falls
7 into the other class of no-shows as opposed to
8 dealing with the previous no-show who was in the
9 hospital and they had a good reason to do this. I
10 have a 2 and a half page reason why, which is an
11 endless recitation of various problems, some of
12 which, if this is true, are good reasons to defer,
13 and if it turns out it's not true, it's sufficiently
14 incoherent that I don't think this is a person who
15 can serve on a jury, and I'm not talking about this
16 case, probably any case. So unless somebody can
17 turn me around on this one, it's a challenge for
18 cause.

19 MR. SCHAR: No objection.

20 MR. GOLDSTEIN: No objection, Your Honor.

21 THE COURT: Coming to the end of the list.
22 204, anybody?

23 MR. GOLDSTEIN: Your Honor, defense moves for
24 cause. It's just the one issue and that's the --

25 MR. SCHAR: No objection, judge. We agree.

1 THE COURT: He did, incidentally, accurately
2 account his previous experience with Domery.

3 Okay, that takes us back. They can go.
4 (Brief pause).

5 THE COURT: Now we're dealing 176 through
6 190.

7 176, an attorney whose field of specialty is
8 far removed from anything that's going to be found
9 in this case. Anybody have views on this?

10 MR. SOROSKY: Yes, we would move to strike.

11 THE COURT: What's the government's position?
12 They're conferring.

13 (Brief pause).

14 MR. SCHAR: Judge, we do not agree with the
15 strike.

16 THE COURT: Okay, now you can tell me why.

17 MR. SOROSKY: I believe this person had a son
18 that was brought to Children's Memorial Hospital and
19 was treated successfully there and she has

20 contributed money to Children's Memorial Hospital.

21 Now, as I assessed this woman, although she's an
22 attorney, and very often, or some attorneys, tend to
23 be in a line of work where they are frequent

24 contributors to all sorts of entities, this attorney
25 is not of that category of persons. She's an

1 employee for an insurance company and is not in the
2 business, if you will, of soliciting business and
3 trying to ingratiate herself with everyone and
4 creating good will and making contributions so, so
5 to speak, there will perhaps be a turnout. I think
6 she has the potential to be, and understandably, an
7 extremely bias witness on a very sensitive victim in
8 this case, and, therefore, we would ask that she
9 should be excused. I could think of no one holding
10 Children's Memorial Hospital in greater esteem than
11 a mother who brought a child there and the child was
12 cured.

13 THE COURT: Well, maybe the father whose
14 daughter had cancer and was cured might be a little
15 more than someone who was brought there for a visit.

16 The government's position?

17 MR. SCHAR: Judge, I think there were well
18 over a dozen, at this point, potential jurors who
19 have been in similar situations, some with more
20 extreme relationships. Frankly, it's one of the
21 premiere children's hospitals in the city, so I'm
22 sure there are a vast majority of people who have
23 been at least either there or with some affiliation
24 of a visit, I don't think it causes anymore bias
25 than any of the other jurors that have gone through,

1 so we disagree.

2 THE COURT: It's rejected.

3 The next one indicated he has difficulty with
4 English. He does have difficulty with English. So
5 unless somebody wants to persuade me to the
6 contrary, he's gone.

7 MR. GOLDSTEIN: We agree, Your Honor.

8 MR. SCHAR: Agreed, Judge.

9 THE COURT: Number 178, he requested deferral
10 because he was unable to afford transportation, that
11 was his request. Anyone want to express a view on
12 this person?

13 MR. SCHAR: Judge, we move for cause of this
14 individual.

15 MR. SOROSKY: We think he should be on the
16 jury because if he's paid \$40 a day --

17 THE COURT: Oh, no, I think he understands
18 that now.

19 MR. SOROSKY: So I don't see any reason for
20 him to be off. With all due respect --

21 THE COURT: I'm denying the challenge for
22 cause.

23 MR. SOROSKY: Thank you.

24 THE COURT: 179, this was what I believe to
25 be a withdrawal for request for deferment.

1 Although, this one was not directed specifically to
2 "I'm now interested in this case and I wasn't
3 before" it was statement that they in fact hired
4 another librarian, which apparently diminishes the
5 problem, and probably, I think, she might also
6 realize that she is there one day.

7 So views on this one?

8 MR. GOLDSTEIN: We are not moving for cause.

9 MR. SCHAR: No.

10 THE COURT: Good.

11 Was 180 here?

12 MR. SCHAR: No, was a no-show.

13 THE COURT: No, 180 was a no-show.

14 MR. GOLDSTEIN: Correct.

15 MR. SCHAR: Correct.

16 THE COURT: This is not sure, this is not
17 sure. I'm going to excuse this person because I
18 think this individual is unlikely to survive any
19 kind of screening. So is anybody opposed to that
20 person?

21 PROSPECTIVE JUROR: No.

22 THE COURT: Okay, 181.

23 MR. GOLDSTEIN: We are not moving for cause
24 on 181.

25 MR. SCHAR: No.

1 THE COURT: 182?

2 MR. GOLDSTEIN: Your Honor, defense moves for
3 cause as to 182. A couple of reasons; one,
4 indicated a medical issue -- or, actually, issues, I
5 believe it was. It was his eyesight, as well as his
6 hearing, as well as on question number 9 he
7 indicated some other medical issues that required
8 maybe not something that would eliminate him but
9 fairly constant nuisance, it appears.

10 In addition, he did indicate a financial
11 hardship. And I don't know if he is someone that
12 needs to be called back, but he indicated that this
13 would pose a financial hardship and his answer was
14 "not sure how many days the employer will pay,"
15 there was no other details filled in as to that
16 answer. So those are the two bases for cause, Your
17 Honor.

18 MR. SCHAR: Judge, he seemed to answer, he
19 said his hearing issue is going to be absolutely
20 fine. Obviously, he filled out the questionnaire,
21 so the sight issue doesn't seem to be an issue. I
22 can't, obviously, speak to the financial issue, but
23 he didn't raise it today.

24 THE COURT: I don't think that hearing and
25 sight matters, I think he's fine with that, that's

1 what I thought he was fine with. He looked
2 uncomprehending to me on some of the stuff, and he
3 does have a condition, similar to another condition
4 that we dismissed a juror for, and I'm uncomfortable
5 with him on this jury. So he's gone.

6 183?

7 MR. GOLDSTEIN: Challenge for cause on 183.

8 MR. SCHAR: We're not in agreement with that,
9 Judge.

10 THE COURT: Okay. Your grounds?

11 MR. GOLDSTEIN: Your Honor, 183, this is the
12 individual that worked for a particular congressman
13 and wrote a --

14 THE COURT: A very admiring note, an
15 exceptionally admiring note.

16 MR. GOLDSTEIN: A very admiring note. And
17 the concern is is that she holds this individual in
18 such high esteem that it raises the burden in trying
19 to compare him in some way. Not to mention, I think
20 --

21 THE COURT: Yeah, but I asked her about that.

22 MR. GOLDSTEIN: You did. And I believe,
23 what's her answer -- she said she was working on it
24 to try and take it out of her mind. The answer was
25 problematic for two reasons: One, in and of itself,

1 trying to get it out of her mind, it indicates it
2 still is and it's not necessarily something that can
3 be put aside. And number two, this is an individual
4 that I think is crystal clear really, really wants
5 to be on this jury, and I think that is what has
6 given this Court pause in many other jurors, and
7 it's someone that, as Your Honor said, is
8 unpredictable. Is ambitious to be on this jury, and
9 writing answers in such a way to do anything they
10 can to get on the jury, in addition to the standard,
11 I think, that she'll have problems applying, Your
12 Honor.

13 THE COURT: Okay. My view is, that she's
14 highly intelligent, highly capable, and given her
15 intelligence, if what she wanted to do is get on the
16 jury, there are lots of answers here that wouldn't
17 have been written that way. I very much doubt she
18 would've written, particularly with the capitals in
19 the answer to question 53, question 55 A, question
20 56, the answer to 55 and 56, these are not the
21 answers of someone who's desperate to sit on the
22 jury if the question displayed the intelligence and
23 experience in government that this one did. The
24 challenge is rejected.

25 Next, 184.

1 Anybody have anything to say about 184?

2 MR. GOLDSTEIN: Defense is not moving for
3 cause.

4 MR. SCHAR: Neither is the government.

5 THE COURT: Number 185?

6 MR. GOLDSTEIN: Defense is moving for cause.

7 MR. SCHAR: Not in agreement, Judge.

8 MR. GOLDSTEIN: Your Honor, as to 185 --

9 THE COURT: One thing you could say is, the
10 guy is a school teacher and he has basically very
11 been grammar. It's discouraging.

12 MR. GOLDSTEIN: He teachers art, Your Honor.

13 THE COURT: Nonetheless, robbery,
14 r-o-b-e-r-y. There was one other one that --

15 MR. GOLDSTEIN: If we could exclude someone
16 for bad spelling, we'll accept --

17 THE COURT: I'm excusing -- I'm concerned
18 about a school teacher. There was one other.

19 MR. GOLDSTEIN: I thought this is the
20 individual that spelled opinion with two p's.

21 THE COURT: "I part of the necessary process"
22 for "it is part of the necessary process." "I think
23 lowly on these parties." I'm looking for what I
24 thought is the best one and I'm not finding it.

25 "Keep up with standard daly news," "daily" spelled

1 d-a-l-y. His insult directed to your client is
2 misspelled. Now, some ordinary citizen without much
3 of an education who wrote this thing I would
4 disregard, but I start out with like a little
5 feeling here that maybe this person shouldn't be
6 here. who challenged him? No one?

7 MR. GOLDSTEIN: Defense, Your Honor.

8 MR. SCHAR: We'll confer.

9 THE COURT: Yeah, go ahead.

10 (Brief pause)

11 MR. SCHAR: We're in agreement.

12 THE COURT: I would regard, if I could reveal
13 it, this is the best name so far. Actual name of a
14 person.

15 Anybody want to speak to this?

16 MR. GOLDSTEIN: On 186, Your Honor?

17 THE COURT: Yes.

18 MR. GOLDSTEIN: We have no motion for cause
19 on 186.

20 MR. SCHAR: Neither does the government.

21 THE COURT: So, okay with everybody.

22 The probation officer?

23 MR. SOROSKY: This might be a surprise, Your
24 Honor, but we object to 187.

25 MR. SCHAR: We're not in agreement, Judge.

1 THE COURT: Because of her occupation?

2 MR. SOROSKY: Pardon me?

3 THE COURT: Because of her occupation or
4 relationship to the prosecutor's office?

5 MR. SOROSKY: Yes.

6 THE COURT: Your view?

7 MR. SCHAR: Judge, she works, obviously, with
8 the prosecutor's office, she's not an employee of
9 ours, but she also works with defense attorney, and
10 particularly given her job now, sounds like she
11 works primarily, if not exclusively, with defense
12 attorneys.

13 THE COURT: Well, I believe what underlies
14 the position of the defense, which I could
15 understand, is the enormous alignment between the
16 Probation Office and the U.S. Attorney's Office. I
17 have not, however, seen this alignment, I have seen
18 lots of disagreements between the two, the best
19 occurring after the United States Attorneys reached
20 a plea agreement on a carefully calculated guideline
21 and the carefully agreed sentence and the probation
22 officer comes in with something which is like 3 and
23 a half years above what was agreed upon, at which
24 time the defense lawyer looks like an idiot to his
25 client or her client, as the case may be, and the

1 prosecutor looks like somebody who lied to the
2 defense lawyer to make a deal. I don't think
3 there's that alignment, I think they remain remote,
4 which is why they aren't really in the same
5 department. The United States Attorney's Office is
6 in the Department of Justice, the probation officers
7 are under the jurisdiction of the court and the
8 Administrative Office of the U.S. Court. So I'm
9 rejecting the challenge.

10 MR. SOROSKY: If I may just say one other
11 point. Probation officers may disagree with the
12 United State's Attorney as to what someone's
13 sentence may be, however, we're not at that stage
14 yet, we're at a trial stage.

15 THE COURT: But they have no occasion to
16 reach conclusions about whether somebody has not
17 been found guilty is or is not guilty.

18 MR. SOROSKY: But they only deal with -- they
19 only deal with people who have either pled guilty or
20 been convicted.

21 THE COURT: Right.

22 MR. SOROSKY: So --

23 THE COURT: So they have no prior experience
24 with people like your client.

25 MR. SOROSKY: I understand that, but they

1 only deal with people who have been convicted. And
2 it's very, very difficult to be a fair and impartial
3 juror when their whole work existence is dealing
4 with people who have been convicted in this
5 courtroom and other courtrooms in this building.

6 THE COURT: Okay. I don't think so. I'm
7 rejecting the challenge.

8 188 we already dealt with, because he was
9 part of an earlier group. He substituted for a
10 missing person in the 140 series.

11 189, or more precisely, Doctor 189.

12 MR. SCHAR: No objection, Judge.

13 MR. GOLDSTEIN: Your Honor, we'll move to
14 strike 189. Unfortunately, you can't find any bad
15 spelling, but the only issue I have is number 182.

16 THE COURT: Okay, let me go to it.

17 MR. GOLDSTEIN: Page 31.

18 In his answer indicated that it's factually
19 incorrect, but more importantly, it's something that
20 I'm concerned if you believe that, how that would
21 affect his ability to judge, will he think somehow
22 because this occurred that he will look adversely
23 towards Mr. Blagojevich on that, and that's my
24 concern, Your Honor.

25 MR. SCHAR: Judge, you know, they filed a

1 ridiculous motion in front of the Court which
2 attempted a ridiculous resolution to the case and
3 now they got a juror who, understandably, probably,
4 and I think it was reported this way at some level,
5 misinterpreted it, but nonetheless answered. I
6 mean, he's an extremely bright individual, answered
7 every question appropriately and is clearly going to
8 be fair.

9 THE COURT: I reject the challenge for cause.
10 190, this is the last in this series, I
11 think, because we started with 199 earlier.

12 MR. SCHAR: We have no objection.

13 MR. GOLDSTEIN: We have no objection.

14 THE COURT: Okay.

15 Okay, now I think we need to get to the area
16 of the count.

17 MR. GOLDSTEIN: Your Honor, there were, I
18 believe, three individuals that were left over from
19 the morning.

20 MR. SOROSKY: 6, actually.

21 MR. GOLDSTEIN: I thought we resolved some of
22 them, but I know there were some people that we
23 dealt with in the jury room, as well as one
24 individual.

25 THE COURT: Well, we're going to deal with

1 it, that's why I was going to start at the
2 beginning. We're going to start with juror 101. I
3 don't anticipate that we're going to spend that much
4 time, but I'm checking to see that everybody's
5 record -- I'm checking the accuracy of my record
6 against other people's records, and the reason I'm
7 doing that is, I don't want to go down the list with
8 Mr. Walker or with the court reporter if I don't
9 have to.

10 (Brief pause).

11 THE COURT: I'm waiting until everyone
12 finishes shuffling papers. This was not a signal to
13 rush.

14 (Brief pause).

15 THE COURT: Number 1, I have as a challenge
16 for cause.

17 Actually, what I'll do is I'll just start
18 down the list and you'll utter some word to indicate
19 when I should stop.

20 Number 2 is a challenge for cause.

21 Number 3 was not challenge for cause, and
22 number 3 has indicated to us in a communication that
23 her employer is fine with whatever arrangements
24 there are with her service.

25 Number 4, I have a challenge for cause.

1 Number 5 is a no-show, and I put him down
2 challenge for cause. One reason may be that he
3 answered the question "have you ever been arrested
4 or convicted" and he answered "no" and he has many,
5 many cases. This is not just I forgot about that
6 one. But he didn't show up twice.

7 Number 6, I have a challenge for cause.
8 (Coughing). I thought this kind of thing in your
9 chest doesn't start hitting you until you're 80.

10 Number 7 is an open question. This is number
11 7 and the plane flight.

12 MR. SCHAR: We'll make a motion for cause,
13 Judge, given her answers.

14 MR. GOLDSTEIN: Your Honor, we think she
15 would be fair, but we understand what's going on.

16 THE COURT: Yeah. But considering the
17 purposes of the flight.

18 MR. GOLDSTEIN: Certainly, Your Honor.

19 THE COURT: Okay, she is out.

20 And then number 8 is a challenge for cause
21 for reasons that I think we all remember. This was
22 the criminal history issue.

23 9 is a double no-show. This is also someone
24 who has a criminal history. It's not a fairly long
25 list that applies to number 5, but it's still there.

1 So we have two on Page 1.

2 Number 10, challenge for cause.

3 MR. SCHAR: Judge, who is the second one?

4 THE COURT: Oh, I'm sorry. We have one. We
5 have one. Sorry.

6 Page 2, number 10 is challenge for cause.

7 Number 11 did appear. He came in, spoke to

8 us. This is the guy with the broken hand. My

9 recollection is is that he did have a difficulty

10 with the law which he did not disclose, but I'm not
11 sure of that. Anyone want to speak to this?

12 MR. SCHAR: Your Honor, I think he was a
13 cause challenge.

14 THE COURT: An agreed? Yeah, okay.

15 MR. SOROSKY: 110 was stricken, Judge,
16 challenge for cause.

17 THE COURT: Yeah, we already have that.

18 112, stricken for cause.

19 13, stricken for cause.

20 14, stricken for cause.

21 15 was today stricken for cause on agreement.

22 16 is still here.

23 117 is still here.

24 MR. SOROSKY: And there was an issue there

25 concerning -- that was the young lady with --

1 THE COURT: Right. Right. Right. And the
2 truth is, the next two, 117 and 118 are two live
3 issues. They are undecided. There's no decision.

4 Let's start with 117, anybody want to talk
5 about it?

6 MR. SCHAR: Judge, we're okay with her. I
7 know she was going to call in with the job at issue,
8 but I'm having trouble remembering exactly.

9 MR. GOLDSTEIN: I thought she was supposed to
10 call.

11 MS. KAESEBERG: Yes, I believe she was going
12 to call and report back to the Court.

13 THE COURT: She did communicate with us on
14 the question of compensation.

15 MR. SOROSKY: We would have no objection.

16 THE COURT: They don't pay.

17 MR. SOROSKY: We would have no objection if
18 the Court were to excuse her for financial hardship.
19 I think it's legitimate.

20 THE COURT: I do, too.

21 Number 118?

22 MR. SOROSKY: We would have no objection --

23 THE COURT: We spoke to this one, too.

24 MR. SCHAR: That's fine, Judge. We're fine
25 with striking her.

1 THE COURT: Good.

2 So we have Page 2, 1.

3 119, I didn't mark anything down. I think
4 he's still alive, and the issue was if anyone had
5 anything else to say.

6 MR. SCHAR: Judge, we had moved for cause on
7 this. We still continue to think that it's a cause
8 challenge. Again, along in the category of someone
9 who clearly wanted to be on the jury, and saying
10 that "history would reveal itself," there were a
11 number of different things. I think he had multiple
12 arrests. This is also thought he was a victim of a
13 substantial financial fraud, and remember the anger
14 management issue. I mean we still think this is
15 legitimate cause challenge and not someone who
16 should be sitting on this jury.

17 MR. GOLDSTEIN: Your Honor, we had gone over
18 this before, I believe Your Honor already ruled that
19 he was very honest, that there was no issues as to
20 what he reported to the Court showing dishonesty in
21 any way.

22 THE COURT: But what bothered me was not this
23 other stuff, what bothered me was the first thing
24 that Mr. Schar started with, and I had forgotten
25 this until I re-read it. And I'm quite confident

1 that in the history of world cultural, the strain of
2 mysticism is important, but I don't know about
3 juries. When I originally dealt with this I was
4 reminded about "the history will reveal itself," he
5 said it at another time, and that was beginning to
6 bother me about him. And there was some other
7 things that bothered me about him, but you try to
8 disregard that because you really don't know these
9 people well and there are plenty of people in the
10 world who are non-standard, they strike a little
11 wrong in the beginning but they're fine. The
12 history-will-reveal-itself part, used the way it's
13 used twice, and in the context that it's used twice,
14 raises substantial doubts in my mind. I'm taking
15 him off the list. Challenge for cause is granted.

16 Number 20, I have a no challenge to that.

17 MR. SCHAR: Yes, Judge.

18 THE COURT: 21 was something we clarified
19 today. I have no challenge to that.

20 22 was an already awarded challenge for
21 cause.

22 23 is something I left open, but this was
23 someone who didn't appear the first time out, and in
24 the second time out struck me as --

25 MR. SOROSKY: She's already been stricken.

1 THE COURT: Oh, she is. Oh, that's right.
2 You told me this morning and I forgot. This is one
3 of the things about extreme old age.

4 Number 24 is okay.

:25PM

5 Number 25 is okay.

6 Number 26 is what we heard this morning.

7 MR. GOLDSTEIN: Your Honor, we move for cause
8 on 126.

:25PM

9 MR. SCHAR: Judge, given the financial
10 situation, we're not objecting.

11 THE COURT: Yeah. And he was much clearer
12 this time. What we had is a little kitchen sink
13 last time with the plane ticket and the kids and the
14 jobs and now he's much more concrete and there's one
15 job and I understood it and I'm taking him off.

:25PM

16 And the last one was an agreed, I think,
17 challenge for cause.

18 So on Page 3 we have 4.

19 128, challenge for cause.

:26PM

20 129, challenge for cause, that was a no-show
21 whose commands of English I doubt.

22 130 was a challenge for cause made this
23 morning without dissent.

24 131 is okay.

:26PM

25 132 is okay.

1 133 is okay.

2 134 is a challenge for cause.

3 135 is okay.

4 And 136 is the one live issue.

:26PM

5 MR. SCHAR: I'm sorry, Judge --

6 THE COURT: The last one is one that is sort
7 of open.

8 MR. SCHAR: I lost you at 133. 134 is gone
9 and 135 is still in.

:27PM

10 THE COURT: 135 is still in, 136 is the one
11 who -- actually, we may have talked about it a
12 little this morning.

13 MR. SCHAR: I think 137 is the one that we
14 talked about this morning.

:27PM

15 MS. KAESEBERG: I think 136 wants to begin
16 nursing course, that is a live issue.

17 THE COURT: Right, that was the school issue.

18 MR. SCHAR: That was a school issue.

19 THE COURT: Views?

:27PM

20 MR. GOLDSTEIN: My understanding is that
21 we're still waiting for more information.

22 THE COURT: Yeah, we are waiting for more
23 information, the question is is how long do we wait.
24 But I'll leave this one open.

:28PM

25 MR. SOROSKY: No, I mean --

1 THE COURT: What do you want to do?

2 MR. SCHAR: I'm fine, Judge, if you want to
3 strike her for cause if she is going to go to
4 school. I don't have an issue with that.

5 MR. GOLDSTEIN: We object to moving for
6 cause, Your Honor.

7 THE COURT: We'll hear some more. I think
8 she's going to wind up going. And I don't think
9 it's very significant for anybody because this is a
10 person who, in my opinion, which could be wrong, is
11 unlikely to be a leader of the jurors, but we will
12 check since we have tomorrow to do it.

13 So as it currently stands, on Page 4 I have,
14 1, 2, 3, 4.

15 Page 5, 137 I believe we agreed this morning
16 should be gone.

17 MR. GOLDSTEIN: Oprah for good cause, Judge.

18 THE COURT: Yeah. 138 was gone before.

19 139 is in.

20 140 is in.

21 MR. SCHAR: I think 139 is gone, Judge.

22 MR. GOLDSTEIN: Correct.

23 THE COURT: Let me look that one up.

24 (Brief pause).

25 THE COURT: 140 is in.

1 141 is in.

2 142 is in.

3 The remaining three in the page are out.

4 So we have either 3 or 4 on this page. I'll
5 put it down as a 3 so we know what our minimum count
6 is.

7 MR. GOLDSTEIN: Your Honor, you said the
8 remaining 3 are out? which numbers?

9 THE COURT: The ones who are in, the main 3
10 are 43, 44 and 45.

11 MR. SCHAR: 144 was in, Judge.

12 THE COURT: Let me check that one too,
13 because my record is fairly clear on this.

14 MR. GOLDSTEIN: We did make a motion for
15 cause as to 144, we wanted him stricken, but I do
16 not know Your Honor's rule.

17 THE COURT: So we have three checkups.

18 Beginning with 146, I have 146 in; 147 out;
19 148 in; 149 in; 150 out; 151 in; the remaining 3
20 out.

21 MR. SOROSKY: What are the remaining 3
22 numbers, just so we're clear?

23 THE COURT: 52, 53 and 54.

24 Moving on to Page 7:

25 155 is out.

1 156 is out.

2 157 is awaiting financial stuff.

3 158 is out.

4 159 is out.

:32PM

5 160 is in.

6 161 is out.

7 163 is in.

8 MR. SOROSKY: I think 161 is in.

9 THE COURT: Yeah, 161 is in.

:32PM

10 160 is in, 161 is in, 162 is out, 163 is in.

11 So what we have on Page 7, the absolute

12 minimum is 3. So 3 of them are in, there might be a

13 fourth, but I'm only concerned about what we know is

14 in.

:32PM

15 Page 8:

16 164 is in.

17 165 is in.

18 186, awaiting financials.

19 Okay, we did get the note from 166's

:33PM

20 employer. They do not pay, they do not pay

21 anything, which is the thing we were looking for.

22 So I'm inclined to let her out.

23 So what I have on this page is three people

24 in, 164, 165, 170, everyone else is out.

:34PM

25 MR. SCHAR: 170?

1 THE COURT: 170 is in.

2 Page 9:

3 173 is out.

4 174 is in.

:34PM

5 175 is in.

6 176 is in.

7 177 is out.

8 178 is in.

9 179 is in.

:34PM

10 180 is out.

11 181 is in.

12 Are we all on the same page?

13 MR. SCHAR: Yes, Judge.

14 MR. SOROSKY: Yes.

:35PM

15 THE COURT: Page 10:

16 182 is out.

17 183 is in.

18 184 is in.

19 185 is out.

:35PM

20 186 is in.

21 187 is in.

22 188 is out.

23 189 is in.

24 190 is in.

:36PM

25 The next Page:

1 191 is in.

2 192 is in.

3 193 is in.

4 194 is out.

:37PM

5 195 is open. I don't remember why we left
6 that open, we just dealt with it.

7 MR. SCHAR: She was a no-show.

8 THE COURT: That was a no-show. Might have a
9 good reason.

:37PM

10 MR. SCHAR: Correct.

11 THE COURT: 196 is in, 197 is in, 198 is in,
12 199 is out.

13 MR. SCHAR: Judge, hold on.

14 MR. SOROSKY: Excuse me, I think 197 is out.

:37PM

15 THE COURT: Oh, that's right. That was
16 agreed for other reasons.

17 Next page, and we've reached the end:

18 200 is out.

19 201 is out.

:38PM

20 202 is out.

21 203 is out.

22 205 is out.

:38PM

23 So the current count shows 42 with a possible
24 3 or 4 more. My listing is this, these are the 11
25 pages, 1 in from Page 1, 1 in from Page 2 --

1 MR. SCHAR: Judge, what --

2 MR. SOROSKY: It's --

3 THE COURT: You don't have the list, okay. I
4 have 42, at a minimum. I would like to have more.
5 We have left on the special list 15, I believe we'll
6 do them tomorrow, and then we will have the check
7 list of people we have to make further inquiry
8 about.

9 MR. SCHAR: Judge, is -- go ahead, I'm sorry.

10 THE COURT: No, go ahead.

11 MR. SCHAR: My understanding is that there
12 are 9 strikes, 13 strikes, and that's to include the
13 alternates?

14 THE COURT: Yes.

15 MR. SCHAR: And it's my understanding, and
16 we've had a little bit of discussion about various
17 methods, that assuming the plan as to the last trial
18 where we will go sequentially and we can use our
19 strikes whenever we like to use them, is that how we
20 plan on proceeding?

21 THE COURT: Well, what I always do is, I give
22 you a sheets of paper and you put your peremptories
23 on there, I give them a sheet of paper, they put
24 peremptories on there, neither one knows what the
25 other side has, and they hand the sheet they wrote

1 to me.

2 MR. SCHAR: Understood. I just want to make
3 sure that the plan is they will be seated in the
4 order that we've gone.

5 THE COURT: We can discuss that.

6 MR. SCHAR: Okay.

7 THE COURT: There are only three ways to deal
8 with this, I suppose you could have more, one is is
9 they're seated in the order in which they're
10 selected and the alternates are determined by the
11 ones with the highest numbers, which is customary in
12 this building. There are courts that do that in
13 reverse, they do that in reverse because they find
14 that it discourages this enormous concern plotting
15 and strategy involved in knocking off the earliest
16 ones and then playing much less the standards at the
17 end because they're probably not going to sit, and
18 it's difficult to take that kind of approach when
19 you have no idea who the last ones are going to be,
20 so you get much more neutral and less tactical, very
21 few districts do it, but some do. There's a
22 practice I don't applied in federal courts, but was
23 applied in state courts, some state courts in
24 Illinois for a period of time, which is they did
25 random selection, they drew them out of a hat. I

1 always like the drawing out of a hat. But,
2 generally speaking -- and I like it when I was a
3 lawyer, despite the fact that my co-counsel thought
4 that I was bananas when I told him I liked the
5 drawing.

6 The two of you can discuss this and if you
7 agree, I'll do whatever you want, and if you by some
8 chance disagree, I'll pick one.

9 MR. SCHAR: Okay, Judge.

10 THE COURT: This will give you an incentive
11 in your negotiations with each other.

12 MR. SCHAR: We'll talk to defense counsel and
13 hopefully resolve this amicably.

14 THE COURT: Right. Could you always flip a
15 coin, too.

16 MR. SCHAR: Judge, since we have plenty of
17 jurors, I hope that you will at least at some point
18 perhaps reconsider our cause challenge on 178 who
19 was the individual with the disability, who is on
20 disability. I raised the monetary issue, but my
21 thoughts go beyond that.

22 THE COURT: This issue, did this list is
23 open.

24 MR. SCHAR: Okay.

25 THE COURT: First of all, we don't know what

1 the whole list is. I have to decide whether if I
2 don't give information on financial hardship,
3 whether based on what I have, I can determine that
4 there is no financial hardship and it's a phony
5 excuse, or whether based on what I have I am
6 inclined to believe that maybe it's a legitimate
7 excuse. I like to wait until they send something in
8 to me. And the fact that they do not send something
9 in to me says something. So, basically --

10 MR. SCHAR: You'll hold that one open, Judge?

11 THE COURT: Yeah, this is not a final list.

12 MR. SCHAR: Thank you, Judge.

13 THE COURT: This list is assembled so that I
14 know where we are, so that I know whether I have to
15 summon others in the petit jury, who are still going
16 to fill out the questionnaire in case disaster
17 comes, and since we would have to spend, in any
18 event, a significant part of tomorrow on completion
19 of the jury, we're not going to begin until Monday.

20 MR. SCHAR: Openings will be on Monday,
21 Judge?

22 THE COURT: Opening will be on Monday.

23 MR. SCHAR: Thank you.

24 MR. SOROSKY: Just so we're clear as to the
25 numbers, I have 44 jurors now with two subject to

1 question.

2 THE COURT: I think there are actually 3 or 4
3 subject to question. But we don't have to be
4 absolutely accurate now. This is to get a
5 preliminary picture, and the operative number, in
6 theory, is 40. Although, I don't have an ironclad
7 faith in that, I'd like to have more just in case.

8 So that's, basically, where we are.

9 MR. SCHAR: 9:30, Judge?

10 THE COURT: 9:30 is fine.

11 (Adjournment taken from 6:44 o'clock p.m. to
12 9:30 o'clock a.m. on August 28, 2011.)

13

14

15

16

17

18

19

20

21

22

23

24

25

Voir Dire

896

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

* * * * *

I CERTIFY THAT THE FOREGOING IS A CORRECT TRANSCRIPT
FROM THE RECORD OF PROCEEDINGS IN THE ABOVE-ENTITLED
MATTER

/s/Blanca I. Lara

date

Blanca I. Lara

Date